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New York

SUMMARY RECORD OF THE 23rd MEETING

Chairman: Mr. MORENO FERNANDEZ (Cuba)
(Vice-Chairman)

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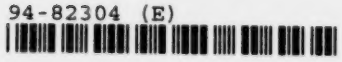

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In the absence of Mr. Hudyma (Ukraine), Mr. Moreno Fernández (Cuba), Vice-Chairman, took the Chair.

The meeting was called to order at 10.30 a.m.

AGENDA ITEM 79: COMPREHENSIVE REVIEW OF THE WHOLE QUESTION OF PEACE-KEEPING OPERATIONS IN ALL THEIR ASPECTS (continued) (A/48/403; A/49/114-S/1994/357, A/49/136, A/49/228-S/1994/827, A/49/287-S/1994/894 and Corr.1, A/49/335, A/49/336, A/49/479; A/C.4/49/L.12)

1. Mr. RODRIGO (Sri Lanka) said that few aspects of United Nations activities had attracted as much international attention, or aroused such controversy, as peace-keeping operations. There were a number of reasons for that: firstly, millions of people throughout the world were the victims of conflicts. Second, unlike the classic or traditional peace-keeping exercises of the past, many of the current operations were extremely complex. They included the deployment and protection of humanitarian relief, human rights monitoring, electoral assistance, border surveillance, disarmament verification and the protection and rehabilitation of refugees. Third, the unprecedented escalation in the number of operations and in their cost, in human as well as material terms, had seriously depleted the limited resources of the Organization. Fourth, peace-keeping personnel had been placed at great personal risk and the death toll among them had risen sharply in the recent past. Finally, the burden of peace-keeping operations was taking precedence over other imperatives in economic and social development.

2. Peace-keeping operations had become a central concern for all States. In that context, the Special Committee on Peace-keeping Operations provided a stimulus as an important forum in which issues of substance relating to peace-keeping operations could be freely raised and collectively explored. The fact that 77 members of the Special Committee and observers had participated in its work during its spring 1994 session clearly indicated a widespread interest in ensuring that peace-keeping measures contributed, in the most effective manner possible, to international peace and security.

3. His delegation had been pleased to participate in the meeting held at the initiative of Argentina and New Zealand to develop a practice of consultations involving the Security Council, the Secretariat and troop-contributing countries when decisions were to be made on the extension, amendment or termination of the mandates of peace-keeping operations. An open dialogue on that matter in the Security Council would make that process more democratic and generally more acceptable to the membership of the Organization on whose behalf the Council acted.

4. A United Nations peace-keeping operation in any conflict situation should be conducive to a political settlement. However complex a peace-keeping operation might be, it should not be independent of the broader political objective of which it was only a transitory phase. Every encouragement should be given to domestic efforts to promote the peaceful settlement of conflicts

before measures under Chapter VII of the Charter were contemplated. Precise, clearly defined and realistic mandates were essential for the success of peace-keeping operations and the preparatory process should be carefully planned and budgeted so as to minimize any operational complications and costly consequences in terms of personnel and financial material resources.

5. Sri Lanka was pleased to have contributed to the preparation of a convention on the safety and security of United Nations and associated personnel. It had recently resumed its modest contributions to the Organization's peace-keeping operations, and in due course it should be able to consider making additional personnel available for peace-keeping activities.

6. Mr. AL-MAHMOUD (Qatar) said that peace-keeping operations were central to the activities of the United Nations and many thousands of Blue Helmets were currently participating in such operations in various parts of the world. A number of operations had clearly been successful. The increase in the number and complexity of operations gave rise to a whole series of organizational and financial problems and problems connected with the integration of military and civilian components. For that reason, a comprehensive review of all aspects of peace-keeping operations was essential. That was the reason for the establishment of the Special Committee on Peace-keeping Operations, which had studied the possibilities of strengthening United Nations activities to address the problems of peace-keeping. A high-level working group had been set up which would serve as an essential tool for the Secretary-General in coordinating the activities of various departments in the implementation of recommendations relating to peace-keeping.

7. The broader context of peace-keeping operations was a matter for discussion among the Member States. It was undisputed that peace-keeping operations had gone beyond the traditional framework. They now included such aspects as the monitoring of elections, humanitarian relief, human rights monitoring and the monitoring of the imposition of sanctions and compliance with embargoes on the supply of weapons to opposing parties. The new aim of peace-keeping operations was to utilize any institutional framework to resolve situations in different countries and not to allow the operations themselves to prevent the attainment of the stated objectives. Otherwise, many operations would end in failure, like the operation in Somalia where a series of political and military errors had been made. The failure of the Somalia operation, however, did not mean that peace-keeping operations were any less essential.

8. The costs of peace-keeping operations were increasing and were exacerbating the financial problems of the United Nations. The difficulties that had arisen were a matter for serious concern since they threatened to weaken the organization's peace-keeping potential. A more orderly approach to peace-keeping operations would enable the Organization to look to the future with greater confidence.

9. He drew attention to the important issue of consultations between the Security Council, which approved peace-keeping operations, and troop-contributing States. The Security Council has devoted two meetings to that

issue, at which it had prepared a document calling for the enhancement of the arrangements for consultation with troop-contributing States.

10. His delegation believed that peace-keeping operations should be designed to attain specific goals and that the international community should take measures to ensure the success of such operations. That was particularly important in the post-cold-war era.

11. The Special Committee on Peace-keeping Operations had prepared a number of recommendations, including recommendations on cooperation and coordination between the United Nations and regional agencies. Qatar was in favour of strengthening the potential of regional organizations in peace-keeping matters in accordance with Chapter VIII of the Charter. The activities of regional organizations came under the concept of preventive diplomacy, as expounded by the Secretary-General in "An Agenda for Peace". Since regional organizations were familiar with regional conditions and the conditions in which potential conflicts arose, they could play a vital role in their prevention and control.

12. Qatar stressed the importance of strengthening peace-keeping arrangements in accordance with the Charter of the United Nations. Since peace-keeping operations served the main purpose of the United Nations, it was essential to remove their inherent defects, so as to help the Organization to meet the challenges before it and to overcome the difficulties caused by the increase in the number of peace-keeping operations. His delegation believed that it was important to assist the United Nations in resolving problems relating to the financing of such operations.

13. Mr. GOGSADZE (Georgia) stressed the need to improve the mechanism for the prompt implementation of a United Nations decision to activate its peace-keeping forces. The adoption by the Security Council of nine resolutions on the situation in Georgia and the forging of close cooperation between the United Nations Observer Mission in Georgia (UNOMIG) and the peace-keeping forces of the Commonwealth of Independent States (CIS) had raised hopes for a peaceful settlement of the armed conflict in his country. Yet, to date, the Member States had been unable to find the financial resources, troop contingents or political will necessary for a peace-keeping operation in Georgia.

14. Considering that the United Nations had no readily deployable troops or significant stockpiles of equipment and in view of the difficulty of securing the prompt participation in peace-keeping operations of troops from different countries, Georgia supported the proposal regarding the creation of a regular United Nations standby force which would be subordinated to the Military Staff Committee. Many conflicts could perhaps be localized and diffused at an early stage if the United Nations had at its disposal a relatively small mobile rapid reaction and deployment force. Georgia welcomed the initiative of the Netherlands in that regard.

15. Global security differed qualitatively from the mere aggregate of the national security considerations of different countries. As a result, the concept of national security was increasingly viewed through the prism of

transnational regional responsibilities, which suggested that a viable global security structure could be achieved only if it was firmly based on regional security arrangements tailored to the specific requirements of the participating countries. Such regional organizations could be more flexible, so that they could react quickly to any threat to the security of neighbouring States in the region. In addition, such involvement of regional forces was, in most cases, acceptable for all parties to a conflict. That was evidenced by the participation of CIS and Russian Federation forces in cooperation with United Nations observers in efforts to resolve the conflict in Georgia, and Georgia thanked them for their active and positive role. It was, however, his delegation's understanding that subsequent phases of such operations would be taken over by the United Nations.

16. In "An Agenda for Peace", post-conflict peace-building was included among the four major areas of United Nations activity for the 1990s and beyond. One of the component elements of that multifaceted task - the question of the return of displaced persons and refugees - had attained particular urgency. Notwithstanding the agreements reached, the Abkhaz representatives were employing various ruses to delay the return of refugees to their homes, thus undermining prospects for a peaceful settlement of the conflict in Georgia.

17. In the interests of improving the capacity of the Organization in the planning and the command and control of peace-keeping operations, Georgia supported the further strengthening of the Department of Peace-keeping Operations.

18. Mr. YELCHENKO (Ukraine) said that Ukraine highly appreciated United Nations peace-keeping efforts aimed at settling regional conflicts and realized that such activities required intensive political, material and financial support on the part of Member States. Ukraine had already become one of the major contributors of troops to United Nations forces. For example, two Ukrainian battalions, 20 military observers and other officials were serving in the United Nations Protection Force (UNPROFOR). Ukraine was ready to continue cooperating with the United Nations in that field and considered that the provision of appropriate protection and safety for peace-keeping personnel was an essential condition for such cooperation. It therefore hoped that the convention on that issue, the elaboration of which it had initiated, together with New Zealand, would enjoy unanimous support and be adopted by consensus at the current session of the General Assembly.

19. Developments in the former Yugoslavia had focused attention on problems relating to the effectiveness of United Nations peace-keeping operations, demonstrating the need for a clearer definition of the principles for the conduct of such operations, including, inter alia, a precise mandate, a link with a negotiating process and reasons for coercive action. In the transition to a multi-polar world, it had become evident that no single country could claim to be an effective guarantor of peace by relying exclusively on its own strength - something which would, in any event, be incompatible with universally recognized rules and principles. Unfortunately, the United Nations, too, was not yet quite ready to assume that important role.

20. The proper financing of peace-keeping operations had proved to be an especially difficult problem owing to the unpredictability and irregularity of contributions from Member States. Stability in that sphere could not be reached without a fair and adequate apportionment of costs among all Member States in conformity with their capacity to pay. That was an urgent political question which should be considered directly by the General Assembly in the current year. Another matter that could not wait was the solution of the problem regarding the relocation of Ukraine, and Belarus, from group (b) to group (c) in the scheme for apportioning the costs of peace-keeping operations.

21. The main reason for the crisis in the United Nations peace-keeping effort had proved to be changes in the conditions and circumstances of conflicts. Classic operations had tended to start after the conclusion of the "hot" phase, whereas in many modern conflicts the United Nations intervened when the battle was at its height, which changed the principle of the use of peace-keeping forces. Moreover, the parties involved in conflicts were often not able to provide adequate conditions for United Nations forces to accomplish their mandate, because a distinctive attribute of current conflicts was the phenomenon of "field commanders" who obeyed no one. Greater attention must therefore be given to the proper training of peace-keeping personnel.

22. It was also high time to renew the mechanisms of peace-keeping operations on the basis of the Charter. The creation of United Nations rapid deployment forces must be accelerated. Ukraine had already declared its readiness to take part in the process.

23. The proposal to hold informal discussions involving the members of the Security Council and all troop-contributing countries should be supported. Representatives of the regional organizations that were engaged in support of peace-keeping operations, such as the North Atlantic Treaty Organization (NATO) in the case of the United Nations Protection Force (UNPROFOR), could also take part. His delegation gave its full support to the coordinating mechanisms referred to in the statement by the President of the Security Council of 4 November 1994.

24. Although fully recognizing the role of regional organizations and arrangements in United Nations peace-keeping efforts, the Ukraine could not accept the idea of any country claiming some kind of "open mandate" from the United Nations or the Conference on Security and Cooperation in Europe (CSCE). His country strongly believed that the deployment of peace-keeping operations in the CSCE region should be based on the provisions of the United Nations Charter and the basic principles of the Helsinki Declaration.

25. Taking into account Security Council resolution 937 (1994) of 21 July 1994, Ukraine was ready to explore the possibility of sending its military observers to the area of the Georgian-Abkhaz conflict. It had also responded positively to the proposal regarding participation in the future CSCE peace-keeping mission in Nagorny Karabakh.

26. Reaffirming its strong belief in the important role of the Special Committee on Peace-keeping Operations, his delegation also paid tribute to the memory of those who had sacrificed their lives in the service of peace.

27. Mr. ROWE (Australia) said that the combined impact of conflicts in Rwanda, Somalia and Bosnia over the past year had had a corrosive effect on the standing of the United Nations. Its public image of failing to meet its responsibilities, and being unequal to challenges facing it, overshadowed its continuing work in the economic, social and humanitarian spheres. The image was deeply unfair, since ultimately the United Nations could do no more than its Member States allowed it to do.

28. To achieve the basic objectives of peace, development and human rights and justice it had to be recognized that they were indissolubly bound up with each other. The distinction between "peace and security", on the one hand, and "development" on the other had too often been a matter for sterile and unhelpful debate. Any viable modern concept of international peace had to recognize that there could be no sustainable peace without development and no development without peace.

29. The work carried out in the area of peace-keeping reform since the production of "An Agenda for Peace" had been laudable. Nevertheless, much still needed to be done. It was, for example, essential that the report and draft resolutions of the Special Committee on Peace-keeping Operations should not merely repeat those of earlier texts, but should contain innovative observations and recommendations. There was also a need for Member States to give substance to their rhetoric in relation to the funding of the Department of Peace-keeping Operations. In that connection Australia looked forward to early action in the Fifth Committee on the proposals put forward in the Secretary-General's report contained in document A/48/945. The main reason for the growth of the omnibus resolution and its tendency towards generalization was that it had become caught up in that same "sterile and unhelpful" debate between peace and development. Another cause, however, was the desire of many Member States to defend their prerogatives at the expense of needed reform. That approach was shortsighted and was harmful to both peace and development.

30. Australia was greatly encouraged that the initiative to widen the consultative process among the Security Council, the Secretariat, troop contributors and other interested Member States had been confirmed in the statement of the President of the Council of 4 November 1994. That was an excellent example of concrete reform.

31. His delegation valued highly the practice of creating informal working groups to push forward innovative proposals. The ideas that had resulted from recently established working groups had the potential to influence peace-keeping reform substantially and should not be lost sight of. It was time that the Special Committee was also energized into producing new initiatives. His delegation intended to put forward a number of specific proposals for consideration by the Special Committee in 1995 concerning definitions and agreed terminology for peace-keeping operations and the need for an institutionalized,

deliberate and immediate planning process for peace-keeping. He also wished to see particular attention given to the improvement of the logistic capacity of the United Nations, to training and to the need for a rapid deployment capability.

32. The importance of peace-keeping reform was self-evident. The safety of the Organization's armed forces and of civilians on United Nations duty should be paramount. Since the standing of the United Nations and the realization of the lofty goals of the Charter were also directly affected by the work of the Committee, Australia called on it once again to work with a sharper focus to advance the process of real and effective reform of United Nations peace-keeping.

33. Mr. ZIAUDDIN (Bangladesh) said that Bangladesh consistently supported the role of the United Nations in conflict resolution and the promotion of peace. Bangladesh was proud of the fact that it was the fourth largest contributor with more than 5,000 troops in over 11 conflict areas. It was prepared to continue and, within its limitations, augment its role.

34. The marked growth in peace-keeping activities over the past few years had been accompanied by personnel, financial, military and administrative and political difficulties, problems in bolstering public opinion and disseminating public information and the need to ensure the safety of peace-keeping personnel. The debate was continuing on the extent and nature of peace-keeping activities. Underlying that debate was latent criticism that peace-keeping activities were diverting attention and resources away from development goals.

35. While his delegation supported the main components and thrust of the draft resolution under consideration, it wished to comment on a few important points. It concurred with the view that there was a need to define clear-cut mandates with achievable and militarily feasible objectives and establish rules of engagement; there was also a need for secured financing and careful analysis of the situation.

36. The need for impartiality, full transparency and continuous consultation, especially with troop-contributing countries, was imperative not only in the decision-making phase but also in the assessment of the effectiveness of peace-keeping operations. The role of the General Assembly should be enhanced to include the elaboration of principles and guidelines for the conduct of such operations. His delegation welcomed the statements by the President of the Security Council of 3 May and 4 November 1994 relating to the strengthening of consultations on peace-keeping questions.

37. His delegation associated itself with many other delegations that had emphasized the need for clear-cut political directions and unified command and control structures for each operation. All peace-keeping personnel should be under the exclusive operational command of the United Nations.

38. His delegation was strongly in favour of strengthening of the role of the civilian police as well as qualified civilian personnel to deal with the growing multidimensional aspects of peace-keeping operations.

39. He commended the Secretary-General's efforts to consolidate stand-by arrangements. The preparation of manuals and handbooks on standard procedures was a useful supplement in facilitating that process. Bangladesh had already agreed in principle with the concept of a stand-by force and was seriously considering the number and nature of troop contribution to the proposed force. One of the difficulties faced by smaller countries involved the provision of equipment that might be required in different locales. The Secretary-General had suggested that, in such cases, standing arrangements should be made with other Member States that were able to provide the necessary equipment. That matter should be further examined with a view to overcoming the fundamental dilemma of scarcity of troops and the lack of equipment of those that could provide the manpower.

40. Serious consideration should be given to the Secretary-General's proposals on the rationalization of the budgetary process. His delegation fully concurred that the financing of peace-keeping operations was the collective responsibility of all Member States, and joined its voice to those who had expressed deep concern over some States' failure to pay dues in full and on time. Of particular concern was the adverse impact on reimbursement of troop-contributors. His delegation wished to re-emphasize that resources for peace-keeping should not be at the expense of resources for United Nations development activities.

41. His delegation fully supported the initiative for a legally binding convention on the safety of United Nations and associated personnel. It had noted the Secretary-General's efforts to bear in mind the requirements of specific situations and cooperate with troop-contributing countries and the Security Council in that regard. Further in-depth appraisal of such situations was needed to enhance the safety of such personnel. The question of standardized compensation and timely payments of all affected personnel was also essential.

42. His delegation associated itself with the many other delegations that had stressed the vital importance of training and a more active role in the field of public information.

43. The draft resolution had rightly emphasized the need to enhance cooperation and coordination between the United Nations and regional organizations, arrangements and agencies capable of assisting it in its peace-keeping activities. In conclusion, his delegation underscored the importance of continuously consolidating the Organization's capability to conduct peace-keeping operations as an essential supplement to preventive diplomacy, peacemaking and peace-building.

44. Mr. STEWARD (South Africa) said that the item under consideration was undoubtedly one of the most important issues that the Organization had on its

agenda. His delegation could not fail to notice that, of the approximately 70,000 peace-keepers currently deployed, 30,000 were on duty in Africa, with the prospect of that number being increased in the near future as the Security Council considered further action in Rwanda and Angola. That placed a responsibility on Africa that was inescapable. For that reason, his delegation welcomed the references in the draft resolution under consideration to the various proposals and ideas regarding United Nations peace-keeping operations, especially if they would lead to an enhanced capacity for Africa to participate in such operations. His delegation also welcomed the timely initiative of Argentina and New Zealand regarding consultation arrangements between the Security Council, the Secretariat and troop-contributing countries set out in the statement of 4 November 1994 by the President of the Council.

45. During the previous world order, much of the international community's energy had been devoted to the creation of rival armed camps; in the new world order, as much energy was expended on local conflicts. All that energy could be better put to work for the common interests of the members of the international community.

46. In his address to the General Assembly earlier in the year, the President of South Africa had asked what could and must be done to ensure that democracy, peace and prosperity prevailed. Mechanisms should be explored that could help translate rhetoric and good intentions into concrete action. In southern Africa, such exploration should take place within the Southern African Development Community (SADC). The concept of regional security could be extended to the wider context of the Organization of African Unity (OAU). The establishment in June 1993 at the OAU summit in Cairo of a mechanism for conflict prevention, management and resolution had been a welcome first step. At the 1994 summit in Tunis, South Africa had been elected vice-chairman of that mechanism. As a member of the mechanism, South Africa intended to remain in communication with fellow OAU members to explore the best ways of conflict prevention in Africa.

47. It should be remembered that Botswana, Zimbabwe and South Africa, acting on behalf of OAU, had recently succeeded in preventing a possible armed conflict in Lesotho. Similarly, a firm position adopted by the leaders of South Africa, Zimbabwe and other countries had recently averted a possible setback for democracy in Mozambique. South Africa welcomed the discussions on preventive diplomacy which were taking place within the Organization. Military involvement should be considered only on an exceptional basis, should flow only from regional consensus and should be based on clear criteria and guidelines.

48. That did not mean that South Africa was unsympathetic to African causes outside its region. The Government and people of South Africa, for example, had contributed substantially towards emergency humanitarian relief in Rwanda. South Africa was ready to listen and discuss the various proposals that had already been put forward to see how they could be reconciled and integrated with the aims and objectives of the Central Organ of the OAU Mechanism for Conflict Prevention, Management and Resolution.

49. Speaking recently at a workshop in Cape Town, the Deputy Minister for Foreign Affairs of South Africa had stated that, whereas in the past South Africa's neighbours had been wary of its military machine, deliberate transparency and the concerted utilization of common resources to ensure regional stability would lay the cornerstones for fruitful inter-State cooperation. South Africa was a democratic State which sought to promote the strengthening of the democratic tradition thr[illegible]ghout its region: it was well known that democracies were least likely to enter into military confrontation and conflict.

50. Having rejoined the international community, South Africa would fulfil its obligations under the Charter. With regard to peace-keeping, it had made a military officer available to serve in the Secretariat's Situation Centre so that he could gain first-hand knowledge of United Nations peace-keeping operations. In addition, at the end of October 1994, a technical team from the Field Operations Division had visited South Africa and had explained United Nations stand-by arrangements to a variety of South African audiences.

51. With regard to regional organizations, South Africa would explore the various mechanisms that could be developed within SADC and OAU to ensure peace and stability in the region and in the broader context of Africa. The fundamental objective of South Africa's regional policy was to prevent conflict through preventive diplomacy, peacemaking and humanitarian assistance, thereby strengthening regional peace and security. The Ministers of Defence of the countries of East and Southern Africa, meeting in Arusha on 11 November 1994 under the auspices of SADC, had agreed to establish a peace-keeping mechanism including the formation of a rapid deployment force to deal with regional conflicts. That force was intended to take the form of a standing army, but would depend on a process that would ensure its rapid mobilization. The Ministers, together with their army, air force, intelligence and police chiefs, had also agreed to organize joint training programmes between the 11 countries of the region.

52. Mr. IDRIS (Sudan), noting the humanitarian nature of peace-keeping operations, which were aimed at alleviating human suffering, said that, in his country's view, the basic characteristics of such operations should be the following. All parties to the conflict should agree to the carrying out of such operations and the peacekeeping personnel, for their part, should show complete impartiality to all sides. The decision to undertake a peace-keeping operation should be taken by the full membership of the General Assembly and should not be left only to the discretion of the Security Council, particularly since five of its members had the sole right of veto, which was not always used in the interests of small States. In carrying out any peace-keeping operation, the aim should not be a military solution to the conflict, but a political settlement. Peace-keeping personnel should respect the territorial integrity of the countries to which they were sent and should not interfere in their internal affairs. Lastly, it was essential to have a mechanism to calculate the administrative and budgetary costs of such operations.

53. In recent years, there had been an enormous increase in the number of peace-keeping operations, in Africa and elsewhere. Many of the operations conducted in Africa had been undertaken without a serious analysis of regional characteristics. The failure to take full account of the severity of the tribal clashes in Rwanda had resulted in a tragedy for the whole of Africa. The delay in the peaceful settlement of the conflict which had arisen in Somalia had led to a fratricidal war in that country. In Somalia, the peace-keeping forces had approached the problem incorrectly and had erred when they had made it their aim to arrest one of the country's political leaders. As a result, they had immediately lost their impartiality, and the aims they had been pursuing had taken on a dubious character. The too severe resolutions of the United Nations on Somalia had been a great mistake. In the meantime, while both the League of Arab States (LAS) and OAU had then begun to take practical steps towards a settlement of the Somali conflict, the United Nations had rushed through the Security Council a strong decision which did not take into account the traditions of the region. That had led to a catastrophe.

54. To give the Security Council its due, having realized the scale of the problem, it had adopted resolution 954 (1994) which provided for the withdrawal of United Nations troops from Somalia by 31 March 1995. The Council had also urged the Somali side to work towards peace and had invited the League of Arab States, the Organization of the Islamic Conference and neighbouring States to assist the people of Somalia.

55. From a study of peace-keeping operations during the past five years, his delegation noted with regret the double standard which was applied, as reflected in the approach to Bosnia and Herzegovina. A situation had developed in which the victim did not have the capability to defend itself with arms and the guilty aggressor was committing brutalities with free access to arms. It was to be hoped that, as in the case of Somalia, the Security Council would recognize the error of its position, which was injuring the Muslim population of Bosnia and Herzegovina.

56. While Sudan supported efforts to ensure the safety of United Nations personnel, it nevertheless had reservations with regard to the draft convention which had been prepared on the safety of United Nations and associated personnel. Those reservations related to the fact that, in his delegation's opinion, the essential questions had already been dealt with in the Convention on the Privileges and Immunities of the United Nations and the draft convention merely added the formulation "and associated personnel". The fact was that Sudan had to deal with certain individuals and non-governmental organizations that did not respect the sovereignty and territorial integrity of Sudan and endeavoured to bypass valid agreements which set certain limits on their activities. His delegation's representative in the Sixth Committee had commented on that question in detail.

57. Mr. ABDELLAH (Tunisia) said that if the United Nations was to carry out its role in the maintenance of international peace and security it was essential to adopt a comprehensive approach, not limited to the political or military aspects of conflicts but embracing also their economic and social consequences. Noting

that the number and complexity of peace-keeping operations meant that they should be governed by definite rules and principles to ensure their successful conclusion, he emphasized that peace-keeping operations should not be a substitute for the peaceful settlement of disputes.

58. With regard to the question of a consultative mechanism, he welcomed the Security Council's decision to hold regular discussions among members of the Council, troop-contributing countries and the Secretariat. He recalled that Article 47 of the United Nations Charter provided for the participation of all Member States in the work of the Military Staff Committee.

59. Turning to the question of cooperation between the United Nations and regional organizations, he stressed the important role of a centralized mechanism for the prevention, management and resolution of conflicts in Africa in maintaining peace in that continent. For the efficient functioning of such a mechanism, however, financial, material and technical resources were required, and in that regard the support of the international community would be desirable. His delegation welcomed the fact that the draft resolution on peace-keeping operations (A/C.4/49/L.12) included the provision that ways and means should be considered to assist regional arrangements and agencies engaged in peace-keeping, and hoped that specific proposals to strengthen such bodies, particularly in Africa, would be made.

60. With regard to the Organization's serious financial situation and the related difficulties regarding reimbursement for troop-contributing countries, his delegation believed that, given the limited resources of troop-contributing developing countries, the Organization should give them priority in providing such reimbursement.

61. Tunisia had from the outset supported the idea of elaborating an international instrument on the safety of peace-keeping personnel. In that connection his delegation stressed the need to introduce a set of rules on compensation in the event of death or disability and to establish a standard scale.

62. Lastly, he spoke in appreciation of the Department of Peace-keeping Operations, the Under-Secretary-General for Peace-keeping Operations and the Special Committee on Peace-keeping Operations, and expressed the hope that other interested countries would be included in the Committee to enable them to participate in its work.

63. Mr. ALLAREY (Philippines) said that the current state of thinking on United Nations peace-keeping operations was that they were but one of the means available to the Organization for resolving conflicts deemed to be threats to international peace and security. Peace-keeping operations should be preceded or accompanied by measures aimed at a pacific settlement of disputes through political means.

64. He supported the recommendation of the Special Committee on Peace-keeping Operations that a set of principles or guidelines for peace-keeping operations

should be elaborated. In that connection he recalled that the Movement of Non-Aligned Countries had adopted a set of guiding principles for peace-keeping operations that should be fully taken into account in the establishment and conduct of United Nations peace-keeping operations. One of those principles touched on one of the most important issues for his delegation, namely that of strengthening political direction and support for peace-keeping operations through consultation between the Security Council and troop-contributing countries. In that connection his delegation appreciated the recent positive steps taken by the Security Council to improve the transparency of, and enhance the participation of non-members of the Council in, its decision-making process. In addition to enhanced consultation between the Security Council and troop contributors, a more active role was needed for the General Assembly in dealing with international peace and security matters and peace-keeping operations, over and above its responsibilities for financing them. One possible activity the General Assembly could consider would be to undertake a periodic consideration and evaluation of all current United Nations peace-keeping operations.

65. With regard to the question of funding peace-keeping operations, he drew attention to the existing scale of assessment established by General Assembly resolution 3101 (XXVIII) and expressed the view that the allocation of additional resources for peace-keeping operations should be made without prejudice to United Nations development activities, which were a priority in their own right. As for the problem of delays in reimbursement for troop costs and compensation to troop-contributing countries, the Philippines saw a need to review the current procedures and wondered whether it would not be possible to streamline certain requirements or at least to provide clearer procedures, so as to accelerate the time taken in processing and acting upon claims.

66. Mr. BELYAEV (Belarus) expressed his gratitude to the Chairman of the Special Committee on Peace-keeping operations for the elaboration of a comprehensive report containing a whole range of valuable recommendations. He also noted the usefulness of other reports issued by the Secretary-General.

67. Despite the growing awareness throughout the world of the ideals of democracy and individual rights, as well as the general desire for the development of global cooperation, there were in many regions of the world centres of tension which escalated into conflicts when aggression occurred. In such circumstances States took more interest in enhancing the role of the United Nations as the only means of maintaining universal peace. While his delegation attached great importance to United Nations peace-keeping operations, it pointed out the importance of the Organization's work in eliminating the underlying causes of conflict; in that connection it supported the Special Committee's recommendation contained in paragraph 45 of its report (A/49/136). The main task of preventive diplomacy was to bring to light and avert the primary causes of conflict.

68. Measures to prevent a potential conflict would be effective if developed on the basis of a comprehensive study of the nature of such conflicts, taking due account of the interrelation between peacemaking, peace-keeping and humanitarian activities. The success of preventive diplomacy largely depended on the

availability of accurate information, and Belarus noted the timely adoption of the Declaration on Fact-finding by the United Nations in the Field of Maintenance of International Peace and Security. It welcomed the growing recent tendency for United Nations operations to transcend the traditional concept of peace-keeping; the changing character of those operations necessitated the development of principles and procedures for their conduct such as would give Member States a clear view of the purposes and functions of specific operations. Belarus believed that the success of current and future peace-keeping operations depended on respect for the principles of national sovereignty and non-interference in the internal affairs of Member States, the consent of Governments and parties to a conflict to the deployment of an operation, and the formulation of precise and realistic mandates for those operations.

69. As for the use of military force for the enforcement of peace, the Organization could have recourse to such a measure only in extreme circumstances, when all peaceful means of settling the conflict had been exhausted.

70. The primary role in the settlement of conflicts belonged to the conflicting parties themselves. They should be fully aware that the deployment of a United Nations peace-keeping operation in a conflict area was a form of temporary assistance and should therefore make every possible effort to settle the dispute themselves. For its part, the United Nations should be ready to step up its mediatory functions.

71. Certain peace-keeping operations raised serious questions regarding the role and capacity of the Organization. The Security Council should regularly review - and, where necessary, terminate - operations whose mandates had become unworkable. Belarus attached importance to the development of cooperation between the Organization and regional arrangements. Without detracting from the leading role of the Organization, regional associations should assume greater responsibility and play a more constructive role in accordance with the provisions of Chapter VIII of the Charter.

72. The problem of creating a sound, equitable and comprehensively well-founded system for the financing of peace-keeping operations remained one of constant concern. The financing of such operations placed a serious burden on many States, including Belarus. His delegation hoped that, at its current session, the General Assembly would adopt a decision on the relocation of Belarus, whose assessed contribution was unjustifiably high, to group (c) of the scale of assessments for peace-keeping operations.

73. In view of the sharp rise in the number of peace-keeping operations, efforts must be made to contain the expenditure on such operations, primarily by stepping up endeavours to reach a prompt political settlement of conflicts. Countries in which operations were conducted should provide the United Nations with the fullest possible logistical and financial support, so as to reduce the Organization's own financial burden. Financial-control arrangements should also be improved by strengthening the system of audits and inspections.

74. In conclusion, his delegation declared itself ready to cooperate actively with the United Nations in the conduct of peace-keeping operations. Belarus, which shared the concerns of the Secretary-General regarding the shortages of military and other personnel, was currently considering the possibility of participation by its military contingents in those operations.

75. Mr. ESCOBAR (Colombia) said that his country recognized the need for the international community to respond to appeals from countries in critical situations for help from the United Nations, and it had high regard for the efforts of Member States undertaken in pursuit of such noble aims and for the work of the Secretariat in administering that programme. At the same time, it would make no sense to launch military operations to settle every one of the hundreds of conflicts erupting daily around the world. It would be dangerous to follow the path of militarization rather than that of social development and the peaceful settlement of conflicts. A historic chance was at hand for the creation of a model world, in which the unprecedented opportunities for cooperation which had opened up over recent years would be turned to advantage.

76. Crises necessitating collective efforts by the international community would continue to arise in many regions, but those efforts should not be limited to a mere military presence.

77. Colombia shared the views - and the concerns - of other delegations with regard to a number of factors. It attached importance to the comprehensive settlement of certain crisis situations and to the coordination of efforts between the different bodies of the United Nations, as well as to the precise delimitation of the functions of the Secretary-General and the Security Council in that area.

78. The previous two years had seen a sharp increase in expenditure on peace-keeping operations: it was easy, in his opinion, to image what improvements could be made to the social and economic situation of those same regions with the investment of equivalent sums.

79. Turning to the legal aspects of the issue, he stressed that, in all its work in that area, the United Nations should be guided by the provisions of the Charter and by such principles of international law as the non-interference in the internal affairs of States and respect for their sovereignty and territorial integrity, as well as for the principles of impartiality and the consent of the State in which it was planned to launch an operation. In view of the complex and highly case-specific nature of peace-keeping operations, the international community should, without delay, undertake a study of the legal basis of such operations and remove any remaining hiatuses in that area.

80. In conclusion, he expressed gratitude to those Governments which supported peace-keeping operations, and to the people who had given their lives in pursuit of the ideals of a better world and the deliverance of future generations from the scourge of war - goals to which the United Nations had aspired since its very foundation.

The meeting rose at 12.45 p.m.

UNITED NATIONS

General Assembly

FORTY-NINTH SESSION

Official Records

SPECIAL POLITICAL AND
DECOLONIZATION COMMITTEE
(FOURTH COMMITTEE)
24th meeting
held on
Wednesday, 16 November 1994
at 3 p.m.
New York

SUMMARY RECORD OF THE 24th MEETING

Chairman: Mr. SAMANA (Papua New Guinea)
(Vice-Chairman)

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AGENDA ITEM 79: COMPREHENSIVE REVIEW OF THE WHOLE QUESTION OF PEACE-KEEPING OPERATIONS IN ALL THEIR ASPECTS (continued)

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In the absence of Mr. Hudyma (Ukraine), Mr. Samana (Papua New Guinea) Vice-Chairman, took the Chair.

The meeting was called to order at 3.35 p.m.

AGENDA ITEM 79: COMPREHENSIVE REVIEW OF THE WHOLE QUESTION OF PEACE-KEEPING OPERATIONS IN ALL THEIR ASPECTS (continued) (A/48/403; A/49/114-S/1994/357, A/49/136, A/49/228-S/1994/827, A/49/287-S/1994/894 and Corr.1, A/49/335, A/49/336, A/49/479; A/C.4/49/L.12)

1. Mr. KOVANDA (Czech Republic) said that his delegation had participated as an observer in the work of the Special Committee on Peace-keeping Operations and that some of its proposals had been included in that Committee's final report. The Czech Republic supported the view of Brazil and other countries that, given the evolution of peace-keeping operations over recent years, the Special Committee should be expanded so as to include observer countries interested in membership, especially if their interest was substantiated by an active role in peace-keeping. The Czech Republic would be very interested in becoming a member of the Special Committee.

2. The Security Council, the General Assembly and the Secretariat, through close cooperation and coordination, and supported by a responsible attitude on the part of all Member States, must continue to focus their attention on the expansion of peace-keeping operations. The current situation was that safeguarding peace and security required not only the supervision of a military status quo agreed to by the parties, but frequently involved a much more robust military posture, as well as challenging humanitarian and political responsibilities.

3. The Security Council had recently adopted two resolutions extending for the last time the mandate of a peace-keeping operation, namely the United Nations Operation in Mozambique (ONUMOZ) and the United Nations Operation in Somalia II (UNOSOM II). The Minister for Foreign Affairs of the Czech Republic, in his address to the General Assembly at its forty-ninth session, had invited the United Nations to study the lessons from operations that had already concluded so as to identify their success factors. In the case of ONUMOZ those factors had included a well-crafted peace plan, a realistic mandate, the maturity of the country's politicians, the tenacity of the United Nations personnel involved, notably the Special Representative of the Secretary-General, and good luck in the timing of the operation.

4. It had become much more difficult to secure troop contributions for operations in the wake of developments in Somalia. Two factors were absolutely critical to the success of a peace-keeping operation: the political will in the country to resolve the conflict and the existence of a good peace plan. In Somalia the warring factions did not seem even to agree that there ever had been a peace plan.

5. It was essential to prevent situations from reaching a flash point. Preventive diplomacy was very cost-effective, although it entailed difficulties that should not be underestimated. One such difficulty stemmed from the changing nature of the conflicts that the United Nations was involved with. Peace-keeping operations established in recent years had seldom dealt with international conflict in the classic sense. Usually the conflicts were internal. In one way or another many internal conflicts seemed to threaten international peace and security.

6. The internal nature of most conflicts made it imperative for the universality and impartiality of peace-keeping operations to be jealously protected. In several recent instances regional organizations had taken it upon themselves to engage in decisive action in a country in turmoil. That had occurred in countries as disparate as Liberia, Georgia, Rwanda and Haiti. Perhaps that was what happened when a country cried out for help and the United Nations could not provide it, or could not provide it fast enough. What role should the United Nations play when a regional organization or an individual Power organized a multilateral force and became involved in peace-keeping on its own account? The question arose of whether the United Nations should expect or even demand that such involvement should be submitted to the Security Council for its approval and that its own military observers should play a role in such peace-keeping operations, and whether attempts should be made to coordinate financing.

7. It appeared to his delegation that, at least in the short term, special attention should be paid to the modalities of cooperation between United Nations peace-keeping operations and multinational forces. The prerequisites for such cooperation were a congruence of objectives; the existence of time limits for operations by a multinational force; close cooperation, beginning in the planning stages; support from the countries of the region concerned for the peace-keeping operation model selected; the presence of United Nations military observers in the multinational force; and regular reporting to the Security Council. Of course, the risk existed that a world or regional Power would play a far greater role in a multinational force than in a United Nations peace-keeping operation. With the end of the bipolar world former sphere of influence might re-emerge. Precisely because of such risks the United Nations must continue the restructuring of its peace-keeping operations.

8. Mr. IVANOV (Bulgaria) said that over the past few years Bulgaria had taken part in political deliberations and in the field in connection with important United Nations peace-keeping activities. The new generation of peace-keeping and related humanitarian relief operations had become a key factor de facto in practically all major United Nations conflict resolution endeavours since the end of cold war confrontation. Nevertheless that trend should not be a substitute for, but should, rather, complement, the concept of preventive diplomacy and the overall policy of the peaceful settlement of dispute.

9. Although peace-keeping operations would be in existence for some time, since there were numerous regional and national conflict points, the Organization was facing a growing demand for swift action to alleviate the grave

consequences of such situations and to contain future conflicts in a context of limited human and material resources, persistent financial difficulties and occasional credibility gaps.

10. The participation of a Bulgarian military contingent and of Bulgarian military observers and police in the United Nations Transitional Authority in Cambodia (UNTAC), one of the largest and most complex United Nations peace-keeping operations, had been a clear expression of the willingness of Bulgaria to contribute to the strengthening of the United Nations capacity for peace-keeping.

11. On the basis of experience acquired, the Bulgarian Government had formulated national policy guidelines for future participation in peace-keeping activities. The document recognized the universally accepted principles of United Nations peace-keeping. Furthermore, Bulgaria had been among the first countries to subscribe to United Nations stand-by arrangements and had offered up to 70 civilian police observers and other resources. Additional commitments were also being considered. Bulgaria had contributed to the United Nations electoral observer missions in South Africa and Mozambique and was preparing for participation in subsequent United Nations activities. Further, as part of an ongoing process of complex training, in 1994 Bulgaria had taken part in some of the first joint military exercises within the framework of the Partnership for Peace initiative of the North Atlantic Treaty Organization (NATO), namely Breeze, Marine Partner and Cooperative Bridge. Bulgaria saw those multinational activities as preparing national contingents for interaction in emergency assistance and coordinated participation in United Nations peace-keeping operations.

12. The Bulgarian delegation had been actively involved in the work of the Special Committee on Peace-keeping Operations and in the subsequent consultations on the draft resolution before the Committee. It was very encouraging that an increasing number of Member States recognized the paramount importance of the issue of peace-keeping training. Bulgaria welcomed the establishment of a training unit in the Department of Peace-keeping Operations and supported plans for its future expansion and strengthening. A number of countries, including the Nordic countries, Austria and the United Kingdom, were providing assistance and expertise for the training of Bulgarian personnel. That process could be further enhanced through the preparation by the Secretariat of basic guidelines, performance standards, manuals, correspondence teaching programmes and other teaching materials.

13. Volumes I and II of the Nordic United Nations Tactical Manual had been published in Bulgarian and Bulgaria was currently printing its own peace-keepers handbook. It was also in the process of setting up a national training centre for peace-keepers and would welcome any assistance in that endeavour. Bulgaria regarded as very beneficial the idea of setting up similar regional centres which would promote the exchange of experiences and resources.

14. The safety of United Nations peace-keeping personnel was of utmost importance and Bulgaria noted with appreciation the progress achieved by the

Ad Hoc Committee on the Elaboration of an International Convention dealing with the Safety and Security of United Nations and Associated Personnel. He hoped that the international community would support the speedy adoption at the current session and the subsequent ratification of that important legal instrument.

15. Bulgaria was of the opinion that the meeting of regional organizations convened by the Secretary-General in New York on 1 August 1994 had provided ample opportunity to better understand and address the problems and challenges facing the international community. As a European country, Bulgaria attached particular importance to the coordination of efforts between the United Nations and European and trans-Atlantic security arrangements and structures, such as the Conference on Security and Cooperation in Europe, the North Atlantic Treaty Organization and the Western European Union. The issues relating to the financing of peace-keeping operations were also of concern to Bulgaria, which joined those who called for increased efforts to find urgent solutions to those substantial problems, given the Organization's financial difficulties.

16. Bulgaria, which had always championed the improvement of consultation and coordination mechanisms for a more active involvement of Member States in decision-making on peace-keeping operations, welcomed the significant progress reflected in the statement of the Security Council on 4 November 1994, which called for the further enhancement of the arrangements for consultation and exchange of information with troop-contributing countries.

17. Mr. DUMITRIU (Romania) said that peace-keeping operations continued to be the most dynamic field in the whole work of the United Nations, given the unprecedented diversification of the tasks incumbent on the new generation of peace-keeping operations. Under current circumstances, it was increasingly difficult to draw a clear-cut line between traditional peace-keeping objectives and the more demanding requirements of the extremely complex situations which the United Nations currently faced.

18. During the debates of the Security Council and the Special Committee on Peace-keeping Operations, two main approaches had been suggested. Some preferred to stick to the traditional limited scope of peace-keeping operations, in the sense of interposing an international presence between warring parties, for example in demilitarized zones. Others, on the other hand, advocated a new approach in which peace-keeping operations should not be so limited but should encompass new objectives requiring the use of civilians, from human rights monitors to civil administrators, with the aim of re-establishing social cohesion.

19. What was at stake was a coherent interconnection between peacekeeping and peace making. There was also need for national and international efforts to bring about institutional reforms. The promise of peace should be accompanied by a promise of stability, prosperity and the democratic values favoured by the entire population.

20. The dynamic of that reality was mirrored in the consistent enrichment of the General Assembly resolution entitled "Comprehensive review of the whole question of peace-keeping operations in all their aspects". Romania had welcomed the resolution adopted at the forty-eighth session of the Assembly and noted that the working group charged with elaborating a draft resolution on agenda item 79 had discussed new ideas which reflected the firm willingness of Member States to face the challenges with which the United Nations was confronted.

21. While it was true that in 1994 the Security Council had been more cautious in establishing new peace-keeping operations and expanding existing ones, and had even admitted that some operations did not fully achieve the political objectives associated with their presence in the field, that did not indicate a deadlock or decreasing interest, but rather an awareness of aspects such as the availability of resources and the capacity for rapid reaction, on the one hand, and certain political constraints, on the other. The proliferation of peace-keeping operations had brought about an inevitable contradiction between the objectives and expectations vested in the United Nations and the means available to accomplish them.

22. Despite the perception that the international community must be increasingly selective when deciding whether the United Nations should intervene in peace-keeping operations, there was also a recognition that the United Nations should strengthen its capacity to act. Towards that end, the idea of creating a stand-by system, which Romania welcomed, was gaining ground and it was reasonable to expect that it would become a reliable instrument in the service of peace. Romania took note with satisfaction of the statement by the President of the Security Council on 4 November 1994 concerning the consultations between members of the Council, troop-contributing countries and the Secretariat on some major decisions in peace keeping, since it reflected a new attitude on the part of the Security Council and contained the promise of improving the mechanisms of consultation. Such an approach would not only affect the decision-making prerogatives of the Council but would also enhance the legitimacy and realism of its decisions.

23. While Romania welcomed the idea of enhanced support for United Nations peace-keeping activities by regional organizations and arrangements, it was important to adopt a case-by-case approach, since, inter alia, it was necessary to ascertain the impartiality of such organizations and arrangements. Not all conflicts were similar in character nor were their roots the same, and it was therefore necessary to avoid hasty generalizations which might not be supportive of the objectives of the United Nations.

24. Romania's presence in Somalia with a field hospital had been a very positive experience, since it had provided medical treatment to tens of thousands of patients, both Somali and from the United Nations, and the Romanian personnel had realized the paramount importance of United Nations support for countries in distress. Public opinion in Romania had closely followed the country's participation in the United Nations Operation in Somalia (UNOSOM II), and that experience, added to Romania's contributions to the United Nations

Iraq-Kuwait Observation Mission (UNIKOM) and the United Nations Advance Mission in Cambodia (UNAMIC), had certainly increased the general awareness of the activities which the United Nations was conducting in various areas of conflict.

25. The Government of Romania was determined to continue its participation in peace-keeping operations and was considering new ways of contributing in that field. In his recent address to the Parliament of Romania, the Secretary-General had stated that it was clear that the United Nations could not take on responsibility for all the situations in the world which threatened peace and security, and that everyone must therefore bear a share of responsibility in that area. The Government of Romania was ready to assume its own share of responsibility.

26. Mr. PHOMMAHAXAY (Lao People's Democratic Republic) said that, with the disappearance of the bipolar world, the international situation had been transformed and that the United Nations had an important role to play in resolving new and increasingly complex conflicts. Never before had it been dealing with so many hotbeds of tension. The complexity and rapid growth of those conflicts made it necessary to re-examine and re-evaluate various phases and aspects of United Nations peace-keeping operations so that the Organization could cope with the situation and, at the same time, fully respect the provisions of the Charter.

27. First, peace-keeping operations should strictly adhere to the principles and purposes enshrined in the Charter of the United Nations and in particular the principles of full respect for the sovereignty, sovereign equality and territorial integrity of all States and non-intervention in their internal affairs. Second, they should be mandated only at the request or with the consent of the Member State or parties involved. The bitter lessons learnt clearly indicated that, without that requirement, the problem could not be solved; on the contrary, the credibility of the United Nations could be affected. Third, they should be guided by the principle of impartiality. Fourth, a realistic mandate, clear objectives and a time-frame for the solution of problems should be formulated in each case. Last but not least, there could be no development without peace and vice versa. Accordingly, the resources earmarked for peace-keeping activities could not be used to the detriment of United Nations development activities.

28. Equally important in that context was the growing need to evolve a consultative mechanism among Member States, the Security Council and the Secretariat. The statement by the President of the Security Council dated 4 November 1994 relating to the strengthening of the arrangements for consultation among troop-contributing countries, members of the Security Council and the Secretariat was particularly important. That initiative would help to improve the management of the United Nations peace-keeping operations and enhance the transparency of the debates in the Security Council, which would contribute to building confidence among Member States. Enhanced and frequent consultations between the Security Council and neighbours to the conflict in question would also contribute to maintaining broad political support for the United Nations peace-keeping operations.

29. As the growing financial obligation which Member States must bear for peace-keeping operations was of vital importance, all countries, developed and developing alike, were encouraged to pay their contributions on time in accordance with their capacity. However, his delegation believed that the five permanent members of the Security Council had special responsibilities and obligations to fulfil under Article 17, paragraph 2, of the Charter of the United Nations. In accordance with the special scale of assessment established by resolution 3101 (XXVIII), those contributions should be paid so that peace-keeping operations could achieve their noble objectives. All States, without distinction, should contribute sincerely and positively to the maintenance of international peace and security. The Lao People's Democratic Republic, for its part, would do its utmost to help achieve a better world.

30. Mr. FOFANA (Mali) said that, while the end of the cold war had augured well for a world of peace, justice and solidarity among nations, the situation unfortunately remained tragic. All over the world, conflicts of various types proliferated, particularly, in the developing world, thereby undermining any hope of development for those countries. When the United Nations had taken over in order to resolve those conflicts, peace-keeping operations had begun to multiply and, with the establishment of the new Department of Peace-keeping Operations and with the help of all countries, it was to be hoped that the work of the United Nations would be improved in the areas of planning, coordination, training, management and financing.

31. Mali was convinced that, if proper use was made of "An Agenda for Peace", effective measures for prevention and the rational control of conflicts could be applied. That conviction had prompted it to cooperate in conflict management in Africa and elsewhere in the world.

32. Mali had been participating in peace-keeping operations ever since the tragic events of 1960 in the Congo. Today it maintained a presence in Rwanda, Burundi and Liberia and would soon participate in Haiti. In general, nearly 300 Malians were contributing in various spheres of activity to the work of the United Nations for peace throughout the world.

33. With more than 78,000 persons from various countries distributed over 18 peace-keeping operations throughout the world, that work was highly significant in terms of effort, cost and problems of all kinds for the Organization, troop-contributing States, personnel on the ground, the local population and even regional and non-governmental organizations.

34. Mali welcomed the initiatives taken by the delegations of Argentina and New Zealand concerning the need to hold consultations with troop-contributing States in order to inform them of any changes which might take place with regard to the establishment of peace-keeping operations.

35. The institutionalization of the system of communication and exchange of views among troop-contributing countries and members of the Security Council made possible both the adaptation of Security Council decisions to the realities of peace-keeping operations and greater acceptance of those decisions by all

parties, thus making them more enforceable. Consultations among Member States, the Secretary-General and the Security Council would facilitate the human and financial contributions of Member States, increase the effectiveness of peace-keeping operations and strengthen the political support of Member States for those operations.

36. Before the Security Council took a final decision to modify, extend or terminate the mandates of peace-keeping operations, troop-contributing States should be able to express their views and debate those questions.

37. Mali proposed that, in a departure from current practice, consultations should begin when the mandate of the operation was to be defined and that the dialogue should be maintained, since those measures were part of the democratization of Security Council procedures and the transparency of its work. The goal was to strengthen the moral basis for implementing decisions and to obtain the support of public opinion in troop-contributing countries. Quantitative, qualitative and conceptual changes required greater cooperation among troop-contributing States and the Security Council so that the United Nations could translate into reality the hope of all peoples of the world: peace ... humanity's greatest treasure.

38. Mr. ZHANG Yan (China) said that, while the United Nations undoubtedly played an important role through peace-keeping operations, it was also true that in recent years the situation had become much more complex and that not all operations had been successful in maintaining international peace and security. It was therefore necessary and appropriate that all aspects of those operations should be reviewed during the current session of the General Assembly.

39. The problems currently facing peace-keeping operations were multifaceted and it was essential to establish a set of guiding principles in accordance with the Charter of the United Nations and on the basis of collective participation through consultations among Member States. The only way to solve problems and ensure that peace-keeping operations had a sound orientation was to analyse each case separately and determine the appropriate solution for each one.

40. It was essential for peace-keeping operations strictly to adhere to the purposes and principles of the Charter of the United Nations and the norms governing international relations. Respect for State sovereignty and non-intervention in the domestic affairs of Member States were basic principles enshrined in the Charter. Currently, the scope of peace-keeping operations had greatly expanded and far exceeded traditional peace-keeping operations, making it increasingly important to reaffirm those principles. The involvement of the United Nations should contribute to safeguarding the sovereignty and territorial integrity of countries, conform to the collective will of the peoples concerned and obtain the consent and cooperation of the parties. Practice had proved time and time again that observance of those principles, both prior to and during operations, was the key to their success.

41. Peace-keeping operations were, in essence, a peaceful instrument and the purpose of the United Nations presence was to ease tension in regions of

conflict and create conditions in which the parties concerned could settle their disputes. Peace-keeping and peace-enforcement were two different concepts and a clear distinction should be made between them. The introduction of mandatory measures in some peace-keeping operations by deliberately invoking Chapter VII of the Charter had obscured that distinction, causing problems which were a source of grave concern. Neither peace-keeping operations nor humanitarian assistance should resort to force or become involved in the affairs of the parties to the conflict, and in that regard the bitter experience in Somalia should be borne in mind.

42. In order to improve the effectiveness of peace-keeping operations and ensure their success, it was necessary for the Security Council carefully to consider all the issues involved, to study the feasibility of each operation and to act within its means when authorizing the establishment of each new operation.

43. In view of the complexity of the disputes in different parts of the world, the Security Council should act with prudence and analyse the backgrounds and causes of the conflicts and disputes, take into account the desires of the parties concerned, set clear and feasible mandates and choose the right moment to become involved, depending on the importance and urgency of the situation. To that end, the United Nations should make full use of such mechanisms as fact-finding missions and technical teams. Regional organizations should be encouraged to play a more active role in those issues, in accordance with the provisions of Chapter VIII of the Charter. The United Nations could not and should not assume full responsibility for solving international conflicts and disputes.

44. It was the duty of Member States to ensure the unified command of United Nations peace-keeping operations, which was also the basis for effective accomplishment of the mandates entrusted to them by the Security Council.

45. China shared the view expressed by the Secretary-General in his report entitled "Improving the capacity of the United Nations for peace-keeping" (A/48/403) that it was essential to act objectively and fairly, and to reflect the political will of the international community and that peace-keeping operations therefore should be under the exclusive operational command of the United Nations and accept no orders from any outside agency. At the same time, the United Nations should strengthen its coordination and consultation with its Member States and troop-contributing States. China appreciated the efforts made by the Security Council in that regard and welcomed the President's statement of 4 November on the question.

46. China had consistently taken an active part in United Nations peace-keeping activities and considered that they could continue to play an important role in international affairs provided that the principles set forth in the Charter were observed, advantage was taken of the experience acquired, and the rules and practices which had proved effective over the years were followed. China was ready to work with other countries and continue to contribute to United Nations peace-keeping operations.

47. Mr. TASOVSKI (the former Yugoslav Republic of Macedonia) said that, notwithstanding the scant likelihood of the use of weapons of mass destruction, the increasing number of conflicts was compelling the United Nations to devote an enormous amount of effort to settling disputes. Unfortunately, the results had not always been satisfactory.

48. To be effective, the Department of Peace-keeping Affairs required a clear mandate and sufficient human, material and financial resources. His country welcomed the statement by the President of the Security Council of 4 November on communication between members and non-members of the Security Council. It also supported the initiative by New Zealand and Argentina to establish consultative machinery between States members of the Security Council, troop-contributing countries and the Secretariat.

49. He shared the view of many delegations that the safety of peace-keeping personnel was of paramount importance. Accordingly, his delegation supported the work of the Ad Hoc Committee on the Elaboration of an International Convention dealing with the Safety and Security of United Nations and Associated Personnel.

50. In view of his country's concern for its own security and for peace and stability in the region of the Balkans, he stressed the key role played by the preventive deployment of a contingent of the United Nations Protection Force (UNPROFOR) in his country. For the first time in the history of the United Nations, military units had been deployed as a measure of preventive diplomacy, a measure that could establish an excellent precedent. The deployment of that force was of great importance for the security of his country, as it prevented the spillover of the war and strengthened peace and security in the region. The cooperation provided by the Government of the Republic of Macedonia and the local authorities to the force was exemplary and would remain so, as the mission was a preventive one and its mandate differed from that of UNPROFOR in Croatia and in Bosnia and Herzegovina. He reiterated his country's request for the mission to remain under the direct supervision of the Secretary-General.

51. He said that his country was prepared to develop, in cooperation with the Secretariat, arrangements for participating in peace-keeping operations. Lastly, he expressed his support for the draft resolution before the Committee.

52. Mr. GIOVAS (Greece), speaking in exercise of the right of reply, said that the previous speaker had employed an incorrect term to designate his State and drew attention to Security Council resolution 817 (1993), by which that State had been admitted as a Member of the United Nations under the provisional name of the former Yugoslav Republic of Macedonia.

53. Mr. TASOVSKI (the former Yugoslav Republic of Macedonia), speaking in exercise of the right of reply, said that the representative of Greece had incorrectly interpreted resolution 817 (1993). His country's name was the Republic of Macedonia and no decision or resolution of the United Nations could prevent it from using that name.

54. Mr. GIOVAS (Greece) said that the question of the interpretation of Security Council resolution 817 (1993) did not arise as the resolution was perfectly clear. If it were possible for the resolution to be interpreted as authorizing the former Yugoslav Republic of Macedonia to be referred to by any other name, it would be meaningless.

55. Mr. TASOVSKI (the former Yugoslav Republic of Macedonia) said that he stood by his earlier assertions.

The meeting rose at 4.50 p.m.

UNITED NATIONS

General Assembly

FORTY-NINTH SESSION

Official Records

SPECIAL POLITICAL AND DECOLONIZATION COMMITTEE (FOURTH COMMITTEE)
25th meeting
held on
Thursday, 17 November 1994
at 3 p.m.
New York

SUMMARY RECORD OF THE 25th MEETING

Chairman:	Mr. SAMANA (Vice-Chairman)	(Papua New Guinea)
later:	Mr. HUDYMA (Chairman)	(Ukraine)

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AGENDA ITEM 79: COMPREHENSIVE REVIEW OF THE WHOLE QUESTION OF PEACE-KEEPING OPERATIONS IN ALL THEIR ASPECTS (continued)

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In the absence of Mr. Hudyma (Ukraine), Mr. Samana (Papua New Guinea), Vice-Chairman, took the Chair.

The meeting was called to order at 3.20 p.m.

AGENDA ITEM 79: COMPREHENSIVE REVIEW OF THE WHOLE QUESTION OF PEACE-KEEPING OPERATIONS IN ALL THEIR ASPECTS (continued) (A/48/403-S/26450, A/49/114-S/1994/357, A/49/136, A/49/228-S/1994/827, A/49/287-S/1994/894 and Corr.1, A/49/335, 336 and 479; A/C.4/49/L.12)

1. Mr. LAVROV (Russian Federation) said that the development of international relations demonstrated that the end of the cold war did not necessarily imply a breakthrough to a problem-free "rosy period" when threats to security would just fade away. The increasing number of hotbeds of war in the world had caused many countries to turn to the United Nations as a capable means of setting up an operational and effective system of collective security. A key element of that system was peace-keeping operations, which would undoubtedly continue to be the most efficient and the highest-priority type of peacemaking activities of the United Nations. The situations which made it imperative to carry out peace-keeping operations were each unique; that was why, as the Secretary-General had noted (A/48/403-S/26450), there was as yet no fully developed permanent system of peace-keeping, only an ongoing series of ad hoc operations.

2. In his delegation's view, there was a need to work out practical criteria for carrying out such activities. The Security Council should begin a peace-keeping operation only after assessing to what extent the new situation threatened international or regional security; it should recognize that peace-keeping operations could not substitute for a political settlement, the main responsibility for which should be borne by the conflicting parties; and it should prescribe a definite mandate, laying out clear-cut goals and means to achieve them.

3. In order to broaden the scope of ongoing operations, it was necessary to improve the structures of the Secretariat which dealt with the command and control of those operations. The Russian Federation welcomed the reorganization of the Department of Peace-keeping Operations, the creation of the Situation Centre, and the working out of uniform training programmes for peace-keeping personnel as well as a whole set of contingency rules and regulations for military and civil contingents.

4. Those units should be staffed by experts from various States. Russia stood ready to dispatch additional military experts for that purpose. Russian officers could also be used more extensively to hold command positions, particularly in those operations where significant Russian military contingents were involved.

5. In the search for structures which could take on the responsibility of planning and operational control of those activities, it would be appropriate to look at the Military Staff Committee, whose function, according to the Charter, was "to advise and assist the Security Council on all questions relating to the Security Council's military requirements".

6. His delegation welcomed the decision to improve the mechanism of consultations with troop-contributing countries on peace-keeping issues and the initiative to establish national stand-by forces, and stood ready to make Russian military contingents available for such operations. As a first step, two motorized infantry divisions of the Armed Forces had been assigned for peacemaking tasks, and their training was being adjusted accordingly. The work of coordinating such units within the multinational peace-keeping forces had been started during the joint Russian-American exercise in September 1994.

7. There were many instances where regional organizations, coalitions of States and even individual States had taken the initiative of undertaking peace-keeping operations which had promoted the settlement of conflicts. The Commonwealth of Independent States (CIS) was conducting operations of that nature, the legal basis for which was the Agreement on Military Observer Groups and Collective Peace-keeping Forces in the CIS, concluded by the CIS heads of State in Kiev on 20 March 1992. The Council of the CIS heads of State had established peace-keeping operations in the area of the Georgian-Abkhazian conflict and in Tajikistan on the basis of Chapter VIII of the United Nations Charter, and on 21 October 1994 had confirmed the mandate to conduct those operations, which naturally excluded the application of enforcement measures.

8. Although Russian peace-keepers currently constituted the core of the CIS peace-keeping forces, that situation did not stem from any vested interest. Russia's efforts were aimed at putting an end to armed clashes, at stabilizing the situation and creating the conditions for a long-term and durable settlement. The extremely difficult economic situation of other CIS member States did not allow them to provide their own contingents. Russia would have preferred classical United Nations peace-keeping operations in the CIS hotbeds of conflict, and had tried, together with the Government of Georgia and with the agreement of the Abkhazian side, to implement just such an operation for many months, but without success.

9. Nevertheless, a firm truce had already been established in Moldova, the peace process was moving ahead in Georgia, and Russia had put forward initiatives to reach a settlement in Nagorny Karabakh. Conflicts in a number of the Commonwealth countries threatened not only regional but also world security; Russia was interested in the cooperation of the world community in order to solve those problems with the broadest possible involvement of the United Nations and the Conference on Security and Cooperation in Europe in peace-making activities in the CIS.

10. Considering the interests of all States in securing lasting peace on the planet, Russia stood for the fair distribution of the burden of moral, political and financial responsibilities with regard to peace-making efforts. In the light of the current geopolitical changes, it was time to take a fresh look at the existing scale of assessment for peace-keeping operations. Furthermore, United Nations expenditure on peace-keeping operations could be reduced by increasing the utilization of funds of the interested States and of regional organizations as well as through services provided free, or on a preferential basis, for the material and logistical support of operations, as well as by setting up volunteer funds both to conduct peace-keeping operations and to eliminate the consequences of the conflicts. Russia unequivocally supported

expeditious implementation of the principles approved by the Security Council with regard to establishing such funds for Abkhazia and Tajikistan.

11. Russia supported all appropriate measures aimed at improving the efficiency of peace-keeping operations and at ensuring security for United Nations personnel involved in them. It hoped that draft resolution A/C.4/49/L.12 would be adopted by consensus.

12. Mr. Hudyma (Ukraine) took the Chair.

13. Mr. JESSEN-PETERSEN (Director, Office of the United Nations High Commissioner for Refugees) observed that the past few years had witnessed intensified internal conflict, particularly of an ethnic nature, causing massive population displacement. The Office of the United Nations High Commissioner for Refugees (UNHCR) was currently assisting more than 23 million refugees and displaced persons. As it entered situations of conflict, it found itself moving closer to the peace-keeping operations of the United Nations, and those links required closer cooperation so as to maintain the humanitarian character of UNHCR activities even in integrated and multifaceted operations.

14. Humanitarian activities could not be fully effective unless related to a comprehensive strategy for peace and security, human rights and economic and social development, but it should be understood that the humanitarian agencies must maintain a degree of independence from United Nations-authorized political or military activities.

15. There were two distinct categories of multifaceted United Nations operations: (a) those where UNHCR was part of an overall peace-settlement operation, and (b) those where UNHCR worked alongside a peace-keeping operation in situations of conflict and where enforcement action might be authorized.

16. The former operations were humanitarian-military operations where humanitarian objectives had been defined and agreed upon within an overall political settlement. Cambodia and Mozambique were good examples of such operations. The peaceful settlements allowed for the return of hundreds of thousands of refugees. Conversely, the return of the refugees in safety and dignity helped to build confidence and consolidate the peace settlement.

17. It became more difficult when moving into conflict situations where enforcement action was combined with humanitarian action. Examples were Bosnia and Herzegovina, Somalia and Rwanda. In Bosnia and Herzegovina, although Security Council resolutions 770 (1992) and 776 (1992) authorized the United Nations Protection Force (UNPROFOR) to protect humanitarian activities, force had never been used to obtain access. UNHCR had spent considerable time and effort negotiating access, with military escorts adding a deterrent value. The use of force against one party inevitably affected the perceived impartiality and neutrality of the United Nations and, by implication, also of United Nations humanitarian organizations associated with the operation. In those circumstances, humanitarian organizations might have to distance themselves from peace-keeping operations.

18. The more humanitarian action became part of a multifaceted United Nations peacemaking and peace-building operation, the more important it was to have a clear mandate, structures and roles for the operation. It was essential that the respective mandates should be respected by all actors involved in each operation. Humanitarian organizations must enjoy autonomy in accordance with their mandates, and must remain non-political, neutral and impartial. They should not be subordinated to military objectives, nor should conditionality be introduced in the way humanitarian action was performed. When political objectives were unclear and peace-keeping efforts turned into enforcement action, tensions arose between the political, military and humanitarian components.

19. The interaction and mutual benefit of closer cooperation between peace-keeping and humanitarian action would grow in the coming years. To that end, discussions were under way on a set of principles and practical guidelines for the protection of humanitarian mandates in conflict situations. Furthermore, UNHCR was developing - literally as it went along - handbooks and guidelines for military personnel engaged in or training for humanitarian operations.

20. Mr. MAPHORISA (Botswana) said that his country was currently participating in the United Nations Operation in Mozambique (ONUMOZ). Botswana hoped that, in that sister country, following the recent holding of democratic elections - the freest and fairest in the history of southern Africa - peace would reign under a multi-party democratic government.

21. All aspects of peace-keeping operations must be unfailingly sensitive to the principles and purposes of the Charter. National sovereignty, territorial integrity and non-interference in internal affairs must be respected. Moreover, peace-keeping operations must be mandated with the consent of the parties concerned and at the request of the receiving party. The Secretary-General's Agenda for Peace had contributed a great deal to an appreciation of the complications that bedeviled peace-keeping. No one could minimize the potentials inherent in the concept of preventive diplomacy. Prevention was better than cure. However, preventive diplomacy could only succeed if coupled with early-warning mechanisms. To be effective, those mechanisms would have to be decentralized. Regional arrangements should therefore be strengthened to enable rapid response to the outbreak of conflict in the region concerned.

22. In southern Africa, the front-line States had been a subregional group which for 20 years had brokered peace in unliberated areas of the subregion. Such efforts could serve as an example to the international community at United Nations level. Botswana supported the idea of a stand-by force for rapid response to the outbreak of a conflict. The very existence of such a force might be a powerful deterrent.

23. The need for disarmament must be addressed more seriously. There was an inflation of all types of weapons all over the world, causing death and misery to millions of innocent people. Trafficking and trade in arms must be discouraged and stopped. Arms-manufacturing States must exercise greater responsibility. Botswana paid tribute to the members of those contingents of peace-keeping operations who had paid the ultimate price in the service of international peace.

24. Mr. AL-OTAIBI (Kuwait) said that he had listened with great interest, at the opening of the general discussion on item 79, to the statement by the Under-Secretary-General for Peace-keeping Operations, and paid tribute to the staff of the Secretariat, especially of the Department of Peace-keeping Operations, for their efforts in support of those operations.

25. Currently, peace-keeping operations were not confined to supervising the cease-fire in a conflict. They also covered more extensive and complex tasks, including the holding of elections, the safeguarding of human rights and the establishment of government institutions. That was an outcome of the far-reaching changes that had occurred in international relations following the cold war. That situation had also overburdened the Organization, whose responsibilities had now increased. Peace-keeping operations faced administrative and financial problems that called for immediate solutions.

26. To solve those problems, there was a need, first, for the political will and conviction to apply the concept of collective security, as had clearly occurred in the Gulf War, in which Kuwait had been liberated. If the same political will had prevailed in the case of the former Yugoslavia, the Serbs would not have been able to invade Bosnia and Herzegovina or to flout the resolutions of international bodies.

27. Second, it was necessary to identify clearly the objectives of peace-keeping operations. Third, there was a need to create a mechanism or organ comprising the Secretariat, the Security Council, the troop-contributing countries and the countries affected or directly concerned in a conflict. The work of that mechanism would consist in planning all peace-keeping operations and related measures. It would also conduct consultations and coordinate activities in connection with the administration of those operations. In that regard, Kuwait welcomed the statement by the President of the Security Council on 4 November 1994 as a positive step.

28. Fourth, all States must undertake to pay their contributions in full and on time. Under the Charter, the financing of peace-keeping operations was the collective responsibility of all Member States.

29. The United Nations had played an important role in Kuwait, with the aim of achieving peace and stability in the region. Kuwait had supported the United Nations Iraq-Kuwait Observation Mission (UNIKOM), and had maintained cooperation and coordination with its leaders. In November 1993, Kuwait had decided to pay two thirds of the costs of that operation, demonstrating its desire that the operation should be successful. Kuwait paid tribute to the way in which UNIKOM monitored violations by Iraq along the frontier and thanked all those countries which had contributed contingents to the Mission.

30. Iraq's recent recognition of the sovereignty and independence of Kuwait was a step forward which should be followed by other such steps, so as to strengthen the security of the country and the region. In that way it would be possible to restore trust and credibility in the Iraqi regime.

31. The failure of one peace-keeping operation or the non-completion of its objectives was due to the late deployment of troops. Learning from the past,

Kuwait supported the Netherlands' proposal to establish a military contingent as a permanent stand-by force at the Security Council's disposal for any emergency calling for rapid deployment to any hot spot in the world. Nevertheless, preventive diplomacy undoubtedly remained the best means of confronting conflict situations.

32. Kuwait welcomed the decision recently adopted by consensus in the Sixth Committee concerning a draft international convention dealing with the safety and security of United Nations and associated personnel.

33. Mr. FLORES OLEA (Mexico) welcomed the conclusion of negotiations on draft resolution A/C.4/49/L.12. During the current year, the Special Committee on Peace-keeping Operations had limited its deliberations to fewer topics, and had thus been able to concentrate on areas requiring greatest attention. The Committee was important because it provided a forum in which States that were interested in peace-keeping operations, even though they were not members of the Security Council, could express their ideas and concerns on peace-keeping and international security. It constituted an essential link between the Secretariat and the General Assembly. The extent to which the Security Council took the Special Committee's recommendations into account in formulating its policies would determine the degree of acceptance and legitimacy of peace-keeping operations.

34. Peace-keeping operations could never be a substitute for the negotiated resolution of conflicts. When deployed, they should be preceded and accompanied by all possible methods for the peaceful settlement of disputes in conformity with the Charter. Peace-keeping operations could never be isolated or separated from previous efforts at negotiation. In order for it to last the parties involved must want peace. The international community could not substitute for the parties to a conflict; its role was to provide support and cooperation.

35. Mexico was convinced that the Security Council should authorize the use of force under Chapter VII of the Charter, only as a last resort, and only after all possibilities for peaceful resolution had been exhausted. Strictly speaking, Chapter VII of the Charter (on which the Security Council was relying increasingly) called for punitive actions only against those who violated the international legal order. The Security Council's increasingly frequent authorizations of the use of force under Chapter VII had taken place in a legal framework that had not always been well defined, and had been based on excessively broad interpretations of the powers granted under the Charter. When applying Chapter VII it was essential to stick to the original interpretation and intent that the founders of the United Nations had specifically had in mind.

36. Mexico had insisted that the Special Committee should recommend that allocation of additional resources to peace-keeping operations should not adversely affect the resources intended for cooperation in international development. While recognizing the importance of the numerous peace-keeping operations that had been authorized in recent times, Mexico and other developing countries were concerned that international cooperation activities would lose out in the allocation of resources.

37. Mexico had urged that, as a general rule, once the mandate for a peace-keeping operation ended, when an extension was judged appropriate, the parties involved should take on substantial financial responsibility for it, as was already occurring in several cases. The object was to promote conflict resolution and prevent peace-keeping operations from becoming an excessive financial burden for States.

38. Mexico had accepted the compromise formula contained in paragraph 59 of the report of the Special Committee on Peace-keeping Operations (A/49/136), reproduced in paragraph 20 of draft resolution A/C.4/49/L.12. The recommendation was a significant step that would contribute not only to improving the financial planning of peace-keeping operations, but also to putting new life into operations that had been in existence for a long time and that had become bogged down as a result.

39. The financial aspect of peace-keeping operations was once again the focus of debate. It was not merely a cash flow problem, it was a question of adopting a realistic policy to ensure that such operations were planned with an awareness of priorities and efficiency. Funding was the engine and the limiting factor of such operations. The increase in the number of operations had not resulted in a more peaceful world, but had pointed up the need to apply more selective criteria, with realistic mandates, so as not to waste resources. Mexico would continue to contribute to such deliberations in the Fifth Committee.

40. Mexico had shown its support, in various forums, for modernizing and stimulating the mechanisms of coordination between the General Assembly and the Security Council so that each could carry out its responsibilities more effectively. In that context, Mexico welcomed the statement made by the President of the Security Council on 4 November 1994 calling for the institutionalization of the mechanism of consultation between members of the Security Council and troop-contributing countries, on the basis of a well-conceived proposal by Argentina and New Zealand.

41. The importance of having a legal instrument guaranteeing the security of peace-keeping operations personnel had become apparent. The working group charged with formulating a convention on that sensitive topic had recently completed its work. The draft convention recently adopted by the Sixth Committee had been made possible thanks to the flexibility and spirit of cooperation demonstrated by many delegations. Mexico hoped that no serious problems would arise in the future over the interpretation and practical application of the Convention.

42. The fact that peace-keeping operations had not been provided for in the Charter did not prevent their being undertaken in accordance with principles, regarding, inter alia, respect for the sovereignty and internal authority of States, that had won widespread acceptance among Member States. The principles on which peace-keeping operations were based were becoming increasingly diffuse. Mexico considered it especially important to arrive at a series of principles and guidelines, as recommended by the Special Committee in paragraph 49 of its report and reproduced in paragraph 7 of the draft resolution. That work should be the responsibility of the Special Committee, because of its experience in handling questions concerning peace-keeping operations.

43. Those operations had become one of the most visible symbols of the United Nations. It was somewhat paradoxical that an organization founded to build peace should be identified with military activity. That situation was a reminder that efforts should be aimed at settling the fundamental causes of conflict and not be limited to resolving their most immediate critical manifestations.

44. Mr. SEGHIB (Algeria) said that the spectacular growth in peace-keeping operations pointed up the need to strengthen the capacities of the United Nations in that area. The concept of peace-keeping itself had changed. In that regard, the Special Committee should bring its experience to bear on the process of developing a conceptual framework for current and future operations.

45. In many cases that increased volume and complexity had not come about as a result of a debate or explicit consensus regarding the role that the United Nations and other bodies should play, nor regarding the political and practical limits of the endeavour. The fact was that the needs in respect of peace-keeping exceeded the current capacities of the Organization in many areas, and Algeria therefore considered it appropriate to agree beforehand on the conditions of deployment and to define more precisely the reasonable limits of the United Nations' participation. He stressed that all aspects of peace-keeping operations must strictly respect the purposes and principles of the Charter, particularly those regarding national sovereignty, territorial integrity and non-intervention in the internal affairs of States.

46. There was no doubt that the end of the cold war had brought about a change in international relations and that, as a result, the United Nations needed to adapt to current conditions. At the same time, all countries must adjust their own policies so as not to lose sight of the fact that the activities of the United Nations must be governed by the principles of the Charter.

47. Since one of the United Nations' most important tasks was to preserve international peace and security, in order to do so efficiently, impartially and justly in accordance with the principles of international law, it was essential to undertake reform through the multilateral cooperation of all States on an equal basis. The General Assembly was the right setting for such activities.

48. With regard to the United Nations Protection Force (UNPROFOR) and the United Nations Operation in Somalia (UNOSOM II), he drew attention to some inadmissible tendencies in international relations that had appeared particularly in the process of resolving the conflicts in the Balkans and the Horn of Africa.

49. Although a broad consensus had been achieved in the Security Council in those two cases, and the Council's decisions on the topic had been adopted unanimously (signalling a step forward and a strengthening of the role of the Security Council), Algeria as well as many other countries felt that that was laudable only if it was not the result of high-handedness on the part of some permanent members of the Security Council, and if it did not simply mean that other members, aware of their inability to exercise a decisive influence, had tacitly accepted (or at least not openly disapproved of) those decisions.

Consequently, without diminishing the importance of the Security Council or the need to establish a lasting peace, the best setting was the General Assembly; its role as principal organ of the United Nations needed to be considerably strengthened.

50. On the other hand, the various reports of the Secretary-General underlined the importance attached to regional organizations; the latter were useful in helping the United Nations resolve some conflicts. In that context, and in light of the tragedy in Rwanda, it was necessary to stress that the Africans themselves should participate more directly in the resolution of their security problems; the Organization of African Unity (OAU) could play an important role in that regard. Time, effort and sacrifice would certainly be needed in order for such a policy to bear fruit; accordingly, the United Nations should help OAU to continue its activities of preventive diplomacy in order to transform them into a real mechanism of collective security that would later ease the tremendous burden borne by the United Nations in that sphere.

51. With regard to the financing of peace-keeping operations, Member States should pay their assessed contributions in full, and the expenses connected with peace-keeping operations should be construed as set forth in Article 17 of the Charter. The current method of apportioning assessment should be maintained, and the relevant bodies should move quickly to institutionalize them. In addition, account should be taken of the special responsibilities of the permanent members of the Security Council and of the developing countries' capacity to pay.

52. Algeria felt that it was time to conclude agreements that would allow peace-keeping training to be provided to troop-contributing countries. It would also be necessary to establish guidelines for the training of, among others, civilian specialized units responsible for supervising elections. Similarly, it would be advisable to put into practice the idea concerning the fellowship programme referred to in paragraph 30 of resolution 47/71.

53. Algeria welcomed the recent reforms undertaken to strengthen the capacities of the Secretariat in the areas of planning, logistics, command and control of peace-keeping operations, and reiterated that it would continue to participate actively in the review and formulation of proposals on behalf of Member States, in consultation with the Secretary-General, regarding practical means for improving the efficiency of peace-keeping operations.

54. Mr. SHAMBOS (Cyprus) said that, in view of the profound political and socio-economic transformations and new challenges to peace and security the world over, peace-keeping operations had acquired new dimensions. Cyprus welcomed recent initiatives undertaken to improve peace-keeping operations by, among other things, increasing consultations and coordination mechanisms between troop-contributing countries, members of the Security Council and the Secretariat. Draft resolution A/C.4/49/L.12 set out various important aspects of peace-keeping, including financial and organizational matters. Cyprus also welcomed the organizational approach of the Secretary-General as contained in the document entitled "Improving the Capacity of the United Nations for Peace-keeping" (A/48/403-S/26450).

55. Regarding the financing of peace-keeping operations, the modest resources available to the United Nations were insufficient to support the ever-rising demand for such operations. He hoped that the proposals set forth in that regard would contribute towards the amelioration of the financial situation of the United Nations.

56. Another issue of major concern was the security of United Nations peace-keeping personnel. Cyprus would welcome measures in that regard. He recalled the casualties suffered by peace-keepers in Cyprus in 1974.

57. Cyprus, a victim of military occupation and aggression, had benefited from United Nations peace-keeping operations through the United Nations Peace-keeping Force in Cyprus (UNFICYP). Although its presence had not prevented the military invasion and occupation of nearly 40 per cent of the Republic's territory in 1974, its vital role and its praiseworthy humanitarian work had never been questioned. Had UNFICYP been withdrawn, it would have given rise to conflict with grave consequences for Cyprus and the region as a whole.

58. The occupation troops, instead of withdrawing as they had been called upon to do by repeated General Assembly and Security Council resolutions, had been strengthened to alarming proportions, making the continued presence of UNFICYP in Cyprus indispensable. The victim of aggression must not be punished for the lack of action on the part of the Security Council to enforce its resolutions or the lack of political will on the part of the aggressor to reach an agreement in accordance with General Assembly and Security Council resolutions. Cyprus had increased its voluntary contribution to $18.5 million, over and above its obligations under article 19 of the Status of Forces Agreement, thus covering a substantial part of the cost of maintaining UNFICYP.

59. The example of Cyprus proved that peace-keeping must be followed by peacemaking and peace-building operations via the immediate implementation of relevant Security Council resolutions. The ultimate goal was to ensure international legal order and to secure freedom, justice and social progress in the world. In brief, it was necessary to enable the United Nations to maintain international peace and security, including by means of peace-enforcement if necessary.

60. That was as pertinent to Cyprus as it was to every other peace-keeping operation in the world, for, in the final analysis, the success of a peace-keeping operation had to be judged by the net result of the whole process, of which peace-keeping was but one component. Only a world organization capable of using the powers conferred upon it by its founding members could secure international peace and security for all nations.

61. A just, lasting and peaceful solution of the problem of Cyprus would benefit not only its people, but would also serve peace in the eastern Mediterranean.

62. Mr. SARDENBERG (Brazil) said that although several of the peace-keeping operations recently undertaken by the United Nations, such as UNPROFOR, UNOSOM II and ONUMOZ, were large-scale ones, they could not be taken as a yardstick, as peace-keeping operations should respond to the specific

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requirements of each case. The report of the Secretary-General on the work of the Organization (A/49/1) drew attention to the range of difficulties encountered by the so-called second generation operations.

63. Although the deployment of multinational forces recently authorized by the Security Council might be unavoidable in certain situations, the presence of multiple actors in the same area could lead to misperception of the role played by the United Nations. As the Secretary-General had himself observed, it was essential to avoid the revival of zones of influence legitimized by the Organization.

64. Brazil had repeatedly reaffirmed that a peace-keeping operation was, or should be, an impartial, multilateral, mediatory presence intervening in a dispute with the consent of all the parties to it and at their request. It could be aptly described as an instrument to assist relevant peacemaking efforts in the field and never as an end in itself. Another important aspect was the need to clarify the relationship between peace-keeping operations and humanitarian assistance. Although both components should be coordinated, it was important not to lose sight of the fact that their mandates and objectives were different.

65. He welcomed the adoption of the statement by the President of the Security Council (S/PRST/1994/62) which set out the Security Council decision to establish procedures for regular and more frequent consultations between its members, troop-contributing countries and the Secretariat. He also noted that one such meeting had recently taken place on the final extension of the mandate of ONUMOZ, and trusted that the procedure for such meetings would be continually improved as required. Brazil was prepared to cooperate in that endeavour within the relevant United Nations bodies.

66. While the number of countries contributing to peace-keeping operations had increased considerably, the size and composition of the Special Committee on Peace-keeping Operations had remained unchanged for many years and did not reflect the composition of troop-contributing countries as a whole. Accordingly, while Brazil commended the openness and flexibility that prevailed in the deliberations of the Special Committee, it believed that there was a need for Member States to review its composition, and that the Special Committee should include on the agenda of its 1995 session an item relating to its composition and methods of work.

67. He then referred to the Organization's financial difficulties, and in particular those connected with peace-keeping operations. He reviewed the successive resolutions adopted by the General Assembly to apportion contributions due from Member States to finance peace-keeping operations, and said that the principles set out in resolution 3101 (XXVIII) of 1973 remained valid and that peace-keeping operations were a collective but differentiated responsibility of Member States, in which special responsibilities were incumbent upon the permanent members of the Security Council. Brazil firmly believed that the best way of providing a sound and durable solution to the Organization's financial situation was by observing the principle of equitable taxation with equitable representation, and was prepared to cooperate in that endeavour.

68. Mr. RAHMAN (Pakistan) said that he wished to place on record Pakistan's appreciation for the distinguished leadership of the Secretary-General in commanding peace-keeping operations. Pakistan fully subscribed to the views expressed in the report of the Secretary-General on improving the capacity of the United Nations for peace-keeping (A/48/403).

69. His delegation deeply appreciated the efforts of the Government of Canada in hosting a high-level meeting in Ottawa in April 1994 and was confident that the three working documents prepared at that meeting would make a significant contribution to the debate on peace-keeping.

70. Pakistan welcomed the statement by the President of the Security Council on the establishment of more effective consultations between the members of the Council and troop-contributing countries, which was an important first step, and thanked Argentina and New Zealand for their initiative on that issue. It was important to improve consultative machinery, not only because troop-contributing countries needed to be informed of important developments pertaining to peace-keeping operations in which their troops were involved, but also because they should be consulted about decisions with a bearing on their contingents; in the light of Article 44 of the Charter of the United Nations, that issue was fundamental.

71. Pakistan had benefited directly from United Nations peace-keeping operations and believed that they played a vital role in the maintenance of peace and security. For that reason, he thanked all the troop-contributing countries which had provided contingents for the United Nations Observer Group in India and Pakistan (UNMOGIP), and particularly its personnel, for their commitment to their mandate, despite the adverse conditions under which they were operating.

72. The importance that Pakistan attached to United Nations peace-keeping operations was apparent from the scale of its involvement in them; Pakistan was currently contributing over 10,000 personnel to eight peace-keeping operations. In addition, Pakistan had promised to contribute personnel to the United Nations Mission in Haiti (UNMIH) and to the United Nations Angola Verification Mission (UNAVEM).

73. His delegation attached great importance to crisis prevention and preventive diplomacy. The United Nations should act before the outbreak of a conflict rather than intervening once the conflict had already erupted. Machinery must be developed to provide an early warning of impending crises. That would considerably enhance the effectiveness of peace-keeping operations and dramatically reduce their cost. Moreover, more efforts should be made to seek political solutions to conflicts by resorting more frequently to Chapter VI of the Charter of the United Nations. Although the appointment of Special Representatives of the Secretary-General was a useful means of solving specific conflicts, the results so far achieved were not encouraging. His delegation was gratified that the draft resolution before the Committee stressed the utilization of all possible means, including the need to find political means of peacefully settling disputes.

74. In order to ensure the effectiveness of peace-keeping operations, it was essential that there should be no alteration in their mandate without the express approval of the Security Council. The Council should maintain control over operations at all stages. Lastly, there was a tendency unilaterally to send military forces to areas of conflict and subsequently to seek approval from the Security Council. Such a practice could become an instrument for intervention by larger Powers in smaller countries.

75. The effective functioning of United Nations peace-keeping operations also required the provision of personnel and equipment commensurate to the assigned tasks. Pakistan thus welcomed the Secretary-General's initiative to establish stand-by arrangements for peace-keeping and was seriously considering the possibility of participating in those arrangements. It also noted with interest the Netherlands proposal to establish a United Nations brigade.

76. In order to place peace-keeping operations on a sound financial footing, all States must pay their assessed contributions in full and on time, in accordance with the existing scale of assessments. As a developing country, Pakistan was deeply concerned about the adverse effect that the deteriorating financial situation of the United Nations could have on the reimbursement of troop-contributing countries. If the present situation was allowed to continue, it might make it almost impossible for developing countries to participate in peace-keeping operations. It was important in that context to undertake effective planning, budgeting and administration of peace-keeping operations with a view to curtailing their cost and to ensure that the major Powers which provided heavy equipment and services should not seek to make a profit from such operations.

77. His delegation wished to express its particular concern with regard to the current arrangements for compensation for death or disability in the case of national contingents. Since all troops performed the same tasks and confronted similar risks, compensation by the United Nations in case of death or injury should be provided uniformly and equally.

78. It noted with interest the progress in the Sixth Committee on the text of a draft international convention on the safety and security of United Nations and associated personnel, and it urged the Secretary-General to initiate a dialogue with Member States on possible additional measures that could be taken where the current safety measures were inadequate. In conclusion, he welcomed the resolution adopted by consensus by the Special Committee on Peace-keeping Operations and hoped that it would be adopted unanimously by the Committee and that its provisions would be fully implemented in both letter and spirit.

79. Mr. KASANDA (Zambia) said that he associated himself with various aspects of the report submitted by the Special Committee on Peace-keeping Operations (A/49/136). Given the current re-emergence of ethnic, religious, cultural and other kinds of conflicts, Zambia welcomed the adoption of General Assembly resolution 48/42, which, inter alia, called for the comprehensive review of the whole question of peace-keeping operations in all their aspects.

80. The increase in peace-keeping operations in recent years and the diversity of the activities they had to perform required a closer examination of issues

such as their mandates, duration, spheres of activity and cost, as well as the security of the personnel involved. In that regard, Zambia supported the important steps taken by the Secretary-General to strengthen the Department of Peace-keeping Operations.

81. As a troop-contributing country, his Government fully supported the recent statement by the President of the Security Council on the creation of a more effective system of consultation between the members of the Council, the troop-contributing countries and the Secretariat, for those countries needed to feel that they were partners in peace-keeping operations to which they had contributed troops or civilian personnel.

82. Nevertheless, it was firmly convinced that more could be done to disseminate information on peace-keeping operations. In that regard, it called upon the Department of Public Information to make a greater effort to ensure the timely availability of information on various United Nations peace-keeping operations, so that the local populations in both the troop-contributing countries and in the territory on which the operations were taking place were kept well informed about the nature of the operations. That was essential if public support was to be generated for peace-keeping operations and their chances of success thus improved

83. The recent acts of genocide in Rwanda, aggravated by the lack of a prompt and adequate response from the international community and even the delayed deployment of troops of the United Nations Assistance Mission to Rwanda (UNAMIR), were deplorable. Several African countries had expressed their willingness to offer assistance but had been prevented from doing so for lack of logistical support. Zambia supported the idea that cooperation in peace-keeping with regional organizations should be further developed. In the case of Africa, the Organization of African Unity had established a mechanism for conflict prevention, management and resolution. Financial assistance from the international community was needed to enable that important instrument to operate effectively. Zambia welcomed the idea of establishing logistical support centres at the regional level and introducing stand-by arrangements. All those initiatives would expedite peace-keeping operations and encourage direct involvement of regional organizations and their member States in the resolution of conflicts in their regions.

84. His Government attached high priority to the promotion of standardized peace-keeping training among the troop-contributing countries and would welcome the establishment of training centres in Africa, where the need was most acute and urgent.

85. The security of United Nations peace-keepers was a matter of highest priority and serious attention should be given to it in the planning phase of peace-keeping operations, in the standardized training for such operations and during the consideration of the draft convention on the matter.

86. In order to finance peace-keeping operations, it was necessary to improve the cash flow, establish a competitive and efficient procurement process and a simplified and expeditious budgetary process, and minimize delays in reimbursements for troop and equipment costs.

87. Zambia was convinced that peace-keeping operations would not in themselves ensure international peace and security. The objective should be to recognize the root causes of the conflicts. In many cases, poverty and privation were the underlying causes and consequently development and related issues were fundamental to promoting the cause of peace from the most comprehensive perspective. Hence the significance of the Secretary-General's recent agenda for development and its symbiotic linkage to his "Agenda for Peace".

88. Lastly, his delegation looked forward to the signing of the Peace Accords between the Government of Angola and the National Union for the Total Independence of Angola (UNITA) on 20 November 1994 in Lusaka. In that regard, it commended the initiative taken by the Mission Planning Service to prepare a detailed plan for a new United Nations mission in Angola to facilitate its rapid deployment as soon as there was a political settlement and Member States had provided the required troops and logistical resources.

89. Mr. MORENO (Cuba) said that his delegation wished to place on record its satisfaction with the positions adopted by the Movement of Non-Aligned Countries regarding peace-keeping operations. The decisions adopted by the Movement in Cairo in June 1994 could help to advance the work of the Special Committee because they defined a number of principles and approaches which could serve as a basis for the establishment and development of peace-keeping operations.

90. It should be recalled that peace-keeping processes must be governed by the same rules of operation as other United Nations activities. Hence, the principle of respect for the sovereignty, sovereign equality and territorial integrity of all States and non-interference in their internal affairs should become the leading principle of peace-keeping operations. Accordingly, the request and consent of the parties to a conflict was essential for the establishment of a peace-keeping operation in their territories, and any United Nations presence in such territories must be impartial.

91. His delegation was concerned at the fact that in recent years, the use of force and the implementation of sanctions on behalf of the Organization had proliferated, operations had been undertaken without regard for the need for the request and consent of the parties; impartiality had been abolished; and Article 2, paragraph 7, of the Charter, which provided that "Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any State", had conveniently been forgotten.

92. There had been repeated demands for peace-keeping operations, in all their aspects, to be under the operational control of the United Nations at all times; however, that principle had been weakened time and again through the growing practice of granting a "franchise" to States or groups of States to act on behalf of the United Nations.

93. It was also alarming to note the increase in the tendency for peace-keeping operations to absorb other activities of the Organization involving humanitarian relief, electoral assistance or human rights. In the near future, if the current rate of absorption continued, the majority of United Nations activities would, in one way or another, be linked to peace-keeping operations. That would

have an adverse impact on the Organization's highly multidisciplinary nature. The transfer of the Field Operations Division and the Electoral Assistance Division to the Department of Peace-keeping Operations illustrated that phenomenon.

94. Furthermore, there was an obvious trend towards militarization of the Organization. Currently, there were even proposals for the preventive deployment of troops who would be stationed outside the zone of operations in case of emergency, and other mechanisms, such as rapid-deployment units, which would mean that the military function with which the United Nations was to be endowed would take precedence over its real political, social, humanitarian and economic development functions.

95. With regard to the negotiations for the conclusion of an international instrument to protect peace-keeping personnel, Cuba was the first to deplore the loss of human lives among such personnel, and to believe that measures must be adopted to safeguard their security. However, as Cuba had maintained on more than one occasion, the safety of peace-keeping personnel was closely linked to the application of the principles of request and consent and non-interference in internal affairs. There was no hope of guaranteeing such safety when the population of the territory in which a peace-keeping operation was deployed regarded its personnel as an army of occupation or intervention.

96. Transparency at every stage of peace-keeping operations was as necessary as the body which approved them on a regular basis, namely, the Security Council. Accordingly, while Cuba welcomed the statement made by the President of the Council on 4 November 1994 regarding consultations with troop-contributing States, it also believed that consultations were not sufficient. There were numerous additional measures which could be adopted to ensure complete transparency in such operations. For example, the mechanisms for consultation between the Council and all States concerned in the development of a peace-keeping operation should be institutionalized; to that end, special bodies could be established in which all States concerned would participate.

97. The United Nations was faced with a basic dichotomy between peace-keeping and development which, in lieu of complementing each other, had become adversaries. Not only did they compete for the limited resources of the Organization and the international community, but they also served as the backdrop for a conceptual debate in which, inevitably, those who had the economic and military strength needed to impose peace by force confronted those who called for peace through justice and social development. What was involved was not a sterile debate. The question had to do not only with determining the type of activities to which more resources would be devoted, whether peace-keeping or development, but also with defining what would be more effective in order to achieve peace: whether to impose it by military means, or to promote it by guaranteeing that all peoples had sustainable access to the progress which only a few currently enjoyed.

98. Mr. ABDERAHMAN (Egypt) said that the Fourth Committee was considering the report of the Special Committee on Peace-keeping Operations almost six months after its adoption by the Special Committee; during that period, there had been major developments in peace-keeping. Some progress had been achieved towards

the implementation of a number of the Committee's recommendations. One example of that was the recent statement by the President of the Security Council concerning the strengthening of the arrangements for consultations between troop-contributing countries, the Security Council and the Secretary-General.

99. On the other hand, the United Nations Operation in Somalia (UNOSOM) had been a disappointing failure; moreover, the United Nations was facing a genuine financial crisis in respect of peace-keeping operations, which could threaten its ability to maintain some of those operations or to establish new ones.

100. Therefore, it was necessary to assess the future of peace-keeping activities in a comprehensive manner. At its next session, the Special Committee might need to allow for a measure of consolidation in reviewing peace-keeping operations in all their aspects.

101. In the light of the massive expansion of demands for peace-keeping missions, the Special Committee could make a valuable contribution to increasing the effectiveness of the United Nations system in responding to such demands. Egypt was honoured to serve on the Bureau of the Special Committee which, under the very able leadership of its Chairman, had again been able to produce a consensus report (A/49/136).

102. The nature of peace-keeping operations had evolved rapidly and expanded beyond that of traditional military observer missions. The mechanisms and practices established by the United Nations in the field of peace-keeping had responded flexibly to the new demands of recent years.

103. While the number of peace-keepers in the field had increased substantially, the resources available to the Organization were not sufficient to enable it to respond in a timely manner to the demand for peace-keeping missions. In the light of the current financial crisis of the United Nations, paying outstanding assessed contributions and then adopting measures to strengthen the financial arrangements and controls of the operations should be the most important step.

104. All Member States should pay the cost of peace-keeping operations through assessed contributions. Under Article 17 of the Charter, the payment of assessed contributions was an unconditional international legal obligation for all Member States and not simply a commitment of a political or voluntary nature. Such contributions must be paid in full and on time in order to enable the United Nations to reimburse the costs of troop-contributing countries. Otherwise, developing countries would be constrained in their ability to contribute to peace-keeping operations which, in turn, would undermine the principle of the universality of such operations.

105. Egypt welcomed the statement by the President of the Security Council (S/PRST/1994/62) on strengthening the arrangements for consultations between troop-contributing countries, members of the Security Council and the Secretary-General. It called upon the Security Council to take further steps towards fulfilling the purposes of Article 44 of the United Nations Charter. Egypt also wished to see the consultation process expanded further to encompass interested regional parties.

106. While the Security Council bore primary responsibility for the maintenance of international peace and security, that responsibility must also be shared by the General Assembly, and must go beyond the field of financing: the General Assembly could play a more active role in various areas of peace-keeping.

107. The first peace-keeping operation had been established by the General Assembly in Sinai; as a troop-contributing country for several operations, Egypt was fully aware of the dangerous circumstances under which the personnel were required to work. Egypt had been actively participating in the work of the Sixth Committee on the protection of peace-keeping personnel and welcomed the successful outcome of the negotiations to conclude an international convention on the safety and security of United Nations and associated personnel. Egypt called upon the Secretary-General to conclude his review of current arrangements for compensation for death, injury or illness attributable to peace-keeping service.

108. Egypt welcomed the establishment of an around-the-clock Situation Centre in the Department of Peace-keeping Operations which would improve communications with United Nations operations throughout the world and assist other departments, and the United Nations Security Coordinator, in discharging their responsibilities in the field.

109. With regard to training, his delegation commended the efforts of the Department of Peace-keeping Operations to promote standardized peace-keeping training, and also the work of the Training Unit. His Government had decided to establish, in Cairo, a Training Centre for Conflict Resolution and Peace-keeping in Africa, and was confident that it would receive assistance from the Department and from other countries with experience in that field.

110. As to the establishment of a stand-by forces planning team, Egypt had recently expressed its willingness, in principle, to participate in such arrangements.

111. In conclusion, Egypt wished to stress the important role of the Special Committee on Peace-keeping Operations; it believed that the Special Committee would correct the negative image of United Nations peace-keeping operations resulting from the recent setbacks in some operations, such as in Somalia, or the lack of resolve to implement the mandate of some other operations, as in Bosnia. It was to be hoped that all the peoples of the world would continue to rely on United Nations peace-keeping operations until it was possible to restore peace to troubled areas.

112. Mr. EKOUMILONG (Cameroon) said that the opportunities offered by the end of the cold war enabled the United Nations to work in harmony for the sake of economic and social development, respect for and promotion of human rights and the maintenance of international peace and security. In that new situation, peace-keeping operations and other related activities were of great importance and required considerable human, financial and material resources. Currently, the volume and complexity of peace-keeping operations had increased to the point where they related to an increasing number of areas which until recently had been considered within the exclusive domain of States. In that context, the efforts of the Secretariat to adapt to those changes were commendable. The

developing countries believed that peace-keeping operations were no more than one means, among others, of achieving the objective of peace; it was therefore necessary to act with prudence and transparency in all aspects of such operations.

113. Cameroon had reiterated on many occasions that the work of the United Nations should be directed towards conflict prevention, since that was more effective and less burdensome than peace-keeping operations. If early warning systems were established and the main causes of possible conflict such as, inter alia, poverty, intolerance of all kinds and also ignorance, were recognized in time, the United Nations could be more successful in saving the lives of millions of people. Even if the number of peace-keeping operations could be reduced, however, they would always be needed, and Cameroon therefore believed that the time had come to take stock in order to benefit from past experience. In that respect, many proposals had been made which required careful consideration.

114. On the question of the expansion of peace-keeping operations, it was essential to respect the spirit of the Charter regarding the sovereign equality of States, territorial integrity and non-intervention in internal affairs. As to the decisions regarding those operations, although the Security Council had primary responsibility for the maintenance of international peace and security, the desire of the majority of Member States for greater transparency and trust must also be taken into account.

115. Cameroon welcomed the statement by the President of the Security Council regarding the need to hold meetings between members of the Council, troop-contributing countries and the Secretariat, and also the exchange of information between the Security Council and the countries of each region concerned. In that context, Cameroon stressed the need to achieve broader participation in peace-keeping operations, which would better reflect the universality of the Organization. Cameroon welcomed the Secretariat's proposals for the establishment of stand-by arrangements and stressed the need to train peace-keeping personnel in an adequate and standardized manner.

116. Cameroon believed that it was necessary to define for each operation a clear mandate which could not be changed by any of the parties to a conflict. It believed that command should be carried out exclusively by the highest levels of the Secretariat.

117. Cameroon also wished to recall the important role played by regional mechanisms in the maintenance of international peace and security; although they did not always have the necessary resources to ensure the success of their activities, they deserved the support of the international community.

118. The financing of peace-keeping operations was the collective responsibility of all Member States, which should pay their assessed contributions in full and on time, although the members of the Security Council had greater responsibility. In that respect, Cameroon hoped that the current system of assessing contributions would be institutionalized.

119. In conclusion, Cameroon welcomed the draft international convention on the safety and security of United Nations and associated personnel recently completed by the Ad Hoc Committee established by the Sixth Committee for that purpose.

The meeting rose at 6.15 p.m.

UNITED NATIONS

General Assembly

FORTY-NINTH SESSION

Official Records

SPECIAL POLITICAL AND DECOLONIZATION COMMITTEE (FOURTH COMMITTEE)
26th meeting held on Friday, 18 November 1994 at 10 a.m. New York

SUMMARY RECORD OF THE 26th MEETING

Chairman: Mr. HUDYMA (Ukraine)

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AGENDA ITEM 79: COMPREHENSIVE REVIEW OF THE WHOLE QUESTION OF PEACE-KEEPING OPERATIONS IN ALL THEIR ASPECTS (continued)

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The meeting was called to order at 10.20 a.m.

AGENDA ITEM 79: COMPREHENSIVE REVIEW OF THE WHOLE QUESTION OF PEACE-KEEPING OPERATIONS IN ALL THEIR ASPECTS (continued) (A/48/403*, A/49/114-S/1994/357, A/49/136, A/49/228-S/1994/827, A/49/287-S/1994/894 and Corr.1, A/49/335, A/49/336, A/49/479; A/C.4/49/L.12)

1. Mr. STANCEL (Slovakia) said that his country was ready to cooperate actively on all issues pertaining to peace-keeping operations. Today, the naive belief that problems could be solved by simply dispatching more and more missions to areas of conflict had been replaced by a more realistic approach. At that stage, however, there was no need to give in to the pessimistic views that peace-keeping operations had not fulfilled expectations and should therefore be reduced to a minimum. More emphasis should be placed on conflict prevention since no peace-keeping operation, no matter how large or perfect it might be, could not be a substitute for a political settlement of a conflict.

2. The key aspect of peace-keeping operations was undoubtedly their mandate, which should be clear, have precise time specifications and be regularly evaluated. Common definitions of terms and standards should be used in all cases. Operations should be carried out under unified command and control; the authority for issuing specific commands corresponding to the development of the situation in the field should be delegated to the field commanders, while United Nations Headquarters should maintain responsibility for overall control and taking political decisions.

3. In addition to humanitarian activities, there was also a need to include in peace-keeping operations elements to ensure a transition to a legal and democratic society. In that respect, his delegation supported the view that more civilian personnel should be involved in peace-keeping operations.

4. His delegation welcomed the practice of holding consultations with troop-contributing countries and since it appreciated the regular reports and briefings by the Department of Peace-keeping Operations, he noted with regret that the publication of the weekly digest had been terminated.

5. Recognizing that the difficult financial situation posed a serious threat to the concept and credibility of peace-keeping operations, his Government had, at its own expense, made available its former Deputy Force Engineer at UNPROFOR for the Department's Field Operations Division.

6. Since the initial cost of dispatching troops was often so high that they represented significant amounts for some countries, Slovakia would welcome informal consultations on the possibility of providing advanced payments to eligible countries. The concept of stand-by arrangements seemed to be a step in the right direction, which his Government supported, expressing its readiness to make available its production potential and repair and maintenance capacities for that purpose. At the same time, the financial implications should be given

careful consideration since the related expenses might be too high for some countries.

7. Slovakia welcomed the progress made in elaborating an international convention dealing with the safety and security of United Nations and associated personnel. Serious consideration should also be given to whether crimes committed against international personnel should be investigated by an international tribunal since, owing to the nature of the conflict, a host country often could not guarantee the necessary security.

8. The public information component of peace-keeping operations should be strengthened, and the social and historical background of the region and the psychological characteristics of its population should be taken into account in designing information strategies.

9. While welcoming closer cooperation between the United Nations and regional organizations, he stressed that the overall responsibility for peace-keeping operations must lie with the Organization. In view of its interest in achieving real progress in the reform of peace-keeping operations aimed at enhancing the United Nations capacity in conflict prevention and resolution, Slovakia expressed its full support for the Special Committee on Peace-keeping Operations.

10. Mr. DROBNJAK (Croatia) said that United Nations peace-keeping operations had in recent times contributed greatly to promoting peace and maintaining stability in many areas around the world and that their role would increase in the future. At the same time, those operations should not become a primary instrument of multilateral policy since they could not replace the force of law. It was also necessary to take account of the specific political and other conditions in each particular operation. Peace-keeping operations should not become a means in themselves - they were merely a way to keep peace and maintain stability.

11. His delegation welcomed the exhaustive nature of the draft resolution under consideration (A/C.4/49/L.12), which should serve not only as a blueprint for possible future peace-keeping operations, but also as guidelines for successfully implementing current ones.

12. In view of the need to maintain respect for the principles of sovereignty, territorial integrity and political independence of States, paragraphs 2, 3 and 5 of the draft resolution were of utmost importance. The international community should take special care to avoid natural, but unnecessary and illegal, tendencies to impose its will on countries. The need to address effectively the underlying causes of conflicts was important not only in defining the operation at the outset, but in redefining the operation when those causes became clearer. In that connection, the Croatian delegation hoped that the resolution under agenda item 148 would promote greater understanding of the underlying causes of the conflict in Croatia and help in redefining the operation there in order to achieve its original objectives.

13. On the whole, the rationalization of the costs of peace-keeping operations required transparency and clarity about their mandates and implementation aspects. The principal role and responsibility of the Security Council in defining and redefining mandates should not be overlooked; at the same time, due attention should also be given to the views expressed by Member States in the General Assembly.

14. His delegation attached great importance to paragraphs 8 to 13. Croatia would continue to look for ways to improve communications between the operation in Croatia and the Croatian Government.

15. The issue of command and control was of particular concern with large operations, since excessive decentralization opened doors for dangerous national influences in the management of segments of peace-keeping operations. Croatia had had serious problems in that regard. Moreover, excessive decentralization could have a negative effect on discipline among peace-keeping personnel, and the lack of discipline often led to illegal and criminal activity. His delegation strongly recommended that future discussions and resolutions should deal more specifically with that issue.

16. His delegation paid tribute to the peace-keeping personnel who had sacrificed their lives to save the lives and lessen the suffering of others. Croatia supported all measures that would minimize the risks to peace-keeping personnel, and would welcome the Sixth Committee's adoption of the draft resolution on the Convention on the Safety of United Nations and Associated Personnel.

17. Mr. PIBULSONGGRAM (Thailand) said that the question of United Nations peace-keeping operations had been of great interest to the Ministers for Foreign Affairs of the Movement of Non-Aligned Countries at their conference in Cairo in May 1994. In their declaration, the Ministers, recognizing the unprecedented growth in the number and complexity of peace-keeping operations, stressed the need to establish guiding principles for such operations in keeping with the Charter of the United Nations. They also expressed their conviction that peace-keeping operations could not be a substitute for the political settlement of disputes and that such operations should be of a temporary nature. For that reason, all means for the pacific settlement of disputes should be exhausted before coercive measures under Chapter VII of the Charter were considered. His delegation fully agreed with the view that the use of force as a means of maintaining international peace and security should be used only as a last resort.

18. In the final document of their Eleventh Ministerial Conference (A/49/287-S/1994/894, annex), the Ministers for Foreign Affairs of the Movement of Non-Aligned Countries had formulated the following principles, which should govern all peace-keeping operations: such operations should strictly adhere to the purposes and principles of the Charter of the United Nations; they should be impartial, non-intrusive and non-interventionist; they should be distinct from other types of United Nations field operations, which were governed by their own respective mandates and rules; full transparency of peace-keeping operations and

appropriate consultations were essential; peace-keeping operations should be established with a clear mandate and time-frame, clear objectives and rules of engagement and adequate resources; decisions leading to the establishment of peace-keeping operations should include provisions on the safety of personnel; resources for peace-keeping operations should not be at the expense of resources for development activities; equitable opportunities should be ensured to facilitate the widest possible participation of Member States, in particular the developing countries, in peace-keeping operations; and cooperation between the United Nations and regional arrangements should be in accordance with their respective mandates.

19. His delegation welcomed the statement by the President of the Security Council of 4 November 1994 (S/PRST/1994/62), which recognized the importance of holding consultations with all troop-contributing countries. That was a good beginning but was only a first step towards greater transparency and democracy in that important United Nations activity. Meaningful consultations, which should be conducted during the formative stage of an operation and continued throughout its duration, should also include major resource-contributing countries and transit States.

20. Peace-keeping activities could not be conducted effectively without the required financial resources and support, and every Member State should therefore pay its contribution in full and on time.

21. His delegation fully shared the view that peace-keeping operations could not take the place of the political settlement of disputes. In that connection, the first regional forum of the Association of South-East Asian Nations (ASEAN) in July 1994 had been a real example of preventive diplomacy. The objectives of the forum were to build mutual confidence among the participating nations through open discussion of political and security issues. While no specific solutions had emerged for the issues discussed at the first forum, it was already clear that the forum would become a viable means for political cooperation in the Asia-Pacific region. The forum could also make substantial contributions to United Nations efforts in the maintenance of international peace and security.

22. Mr. PALYA (Hungary) said that 1993 had provided considerable experience in the field of peace-keeping operations. In spite of the success of some operations, Member States had realized that peace-keeping operations had their limitations, that the United Nations alone was not capable of resolving all conflicts, and that there was a growing imbalance between available resources and the challenges to the Organization's peace-keeping activities. On the other hand, the statements made by Member States in the Special Committee on Peace-keeping Operations and at meetings of the working group on the current draft resolution had provided interesting ideas on the further development of the concept of peace-keeping, most of which had become part of the draft resolution.

23. Hungary attached great importance to the statement by the President of the Security Council of 4 November 1994 on the strengthening of arrangements for consultations between troop-contributing countries and the members of the

Security Council. Those mechanisms would make it possible to enhance confidence between the Council and troop-contributing countries, which was needed to achieve a broader and more solid political basis for the operations. There was a clear connection between the quantity of information provided to Member States and their willingness to participate in a given operation. Troop-contributing countries should receive, on a regular basis, timely information on the evolving situation in a conflict area. His delegation was disappointed that the weekly reports of the Situation Centre of the Department of Peace-keeping Operations had been terminated and hoped that that indispensable activity would be resumed.

24. Regional organizations should assume an increasingly active role in efforts to strengthen the Organization's peace-keeping capacity, and the main principles for their participation in that activity should be consistent with the provisions of the Charter.

25. Hungary had just finished training its first peace-keeping company with the support of the United Nations Training Centre. The Centre had developed further plans to assist troop-contributing countries in training personnel, and his delegation hoped that those plans would be put into practice as soon as possible. His delegation also supported the idea of creating mobile training teams to facilitate the exchange of experience among troop-contributing countries.

26. Since one of the key factors in conflict management was the ability of the United Nations to respond quickly, Hungary looked forward to further improvements in stand-by arrangements, and supported regional initiatives along those lines which would give new impetus to preventive conflict management.

27. As to the financial aspects of peace-keeping operations, Hungary reiterated its support for the idea of a unified budget system, as well as for the Secretary-General's proposal to simplify the budget process and reduce the number of assessments.

28. Ensuring the safety and security of United Nations personnel and others involved in peace-keeping operations was of paramount importance, and his delegation welcomed the efforts of the Sixth Committee in that connection and approved the draft Convention on the subject.

29. Mr. OO (Myanmar) said that the hopes for lasting peace, security and development throughout the world brought by the end of the cold war had not been realized, and the global threat had given place to ethnic, racial and religious conflicts. Under the circumstances, the maintenance of international peace and security had become more important than ever, and consequently, the United Nations now had an increasingly important role to play in the world.

30. There had recently been a sharp rise in the number of United Nations peace-keeping operations, and the nature and aspects of peace-keeping had changed. Peacemakers were entrusted with increasingly complex tasks which included supervising elections, human rights monitoring and providing humanitarian assistance. As a result of the multifaceted mandates and tasks, not all peace-

keeping operations were successful. In order to increase their effectiveness, the experience of past operations should be carefully reviewed and assessed, and in that connection Myanmar welcomed the recommendations and proposals contained in the report of the Special Committee on Peace-keeping Operations.

31. Myanmar was convinced that all aspects of peace-keeping operations must be carried out in strict conformity with the principles and purposes of the Charter of the United Nations. Such principles must be applied consistently and unselectively, in particular those of respect for the sovereignty and territorial integrity of States and non-intervention in their internal affairs. It was of the utmost importance that all peace-keeping operations should have a clear mandate based on the full consent of all parties to the conflict and at the request of the Member States involved.

32. Peace-keeping operations formed only part of the process of conflict resolution and must therefore be temporary; they should not be regarded as a substitute for long-term political settlement.

33. Myanmar shared the view that the root causes of most conflicts were inequalities in social and economic development; the United Nations must therefore pay greater attention and allocate more resources to the social and economic spheres. It was clear that without economic and social development, peace and security would remain unattainable goals. In that connection, he referred to the statement by the head of his delegation during the general debate in plenary meetings at the current session, in which he had pointed out the importance of devoting equal attention and resources to the implementation of "An Agenda for Peace" and "an agenda for development".

34. In view of the increasing complexity and diversity of peace-keeping operations, the availability of financial, human and material resources had become an even more significant factor in ensuring their smooth and effective implementation. The unprecedented increase in the number of peace-keeping operations had resulted in a financial crisis, and since such operations were the collective responsibility of all Member States, Myanmar called upon the latter to pay their assessed contributions in full and on time.

35. Myanmar greatly appreciated the efforts of the Department of Peace-keeping Operations in coping with the increasing number of activities, and welcomed its further strengthening. In conclusion, his delegation expressed its gratitude to the Special Committee on Peace-keeping Operations and its Chairman for the comprehensive report before the Fourth Committee, which, in his view, would be a useful guide for future peace-keeping operations.

36. Mr. INDERFURTH (United States of America) expressed satisfaction at the fact that, as it was clear from the draft resolution under consideration, the Special Committee on Peace-keeping Operations continued to play a very constructive role in the further improvement of United Nations peace-keeping operations. The resolution contained a set of guidelines for the Secretariat that were comprehensive and, in many cases, precise. He hoped that the consensus document would help the Secretariat to interpret the views of Member

States in discharging the urgent task of improving peace-keeping infrastructures and related policies.

37. None the less some areas of ambiguity remained in the text. As the sponsor of three new paragraphs and in the light of the provisions of paragraph 59 of the draft resolution, the United States recalled that it was not proposing to increase the regular budget to cover the expenses incurred by new requirements for the civilian police, the training of peace-keeping staff or public affairs. Instead his delegation urged the Secretary-General to meet the new resource requirements by a combination of methods. First, he should try to meet the modest additional administrative costs arising from the new mandates of the civilian police (para. 36) and the training of peace-keeping staff (para. 50) by requesting the necessary funds from the peace-keeping support account. In future, assuming the new activities proved successful, those expenses could be included in the Organization's regular budget. Second, the additional costs of operational activities should be covered by resources donated by Member States, and the United States Government was prepared to consider requests along those lines.

38. Paragraph 45 concerning the new mandate on public affairs recommended that the Secretary-General should request the assistance of Member States in developing programmes and materials to train public affairs officers. The United States had a keen interest in that aspect of the activities and pointed to the need for enhanced administrative and operational support for the public affairs officers involved in peace-keeping missions. In that regard his delegation endorsed the recommendation contained in the Secretary-General's report of 14 March 1994 (E/AC.51/1994/3) for the creation of a unit in the Department of Peace-keeping Operations responsible for peace-keeping information. It further proposed that the unit should be staffed by reallocating resources from the Department of Public Information. With regard to the field component of public affairs support for peace-keeping, the United States suggested that greater attention should be paid to those activities in the budget proposals for future peace-keeping missions.

39. The resolution quite rightly underscored the need for a clear and unified command and control structure. The informal working group of Member States had prepared a useful document on the subject which had been forwarded to the Secretary-General for consideration. The United States looked forward to his report on the matter.

40. The resolution also encouraged the Secretary-General to pursue further improvements in the budgetary and financial procedures for peace-keeping operations. The United States was of the view that many of the proposals contained in the Secretary-General's reports of 14 March and 30 September as well as the recommendations for a unified budget were praiseworthy and should be approved by the Fifth Committee at the current session.

41. Another timely and important element of the resolution was the section concerning consultation mechanisms for keeping troop-contributing countries in touch with the Security Council. The Council had also shown interest in

enhancing consultation mechanisms and exchange of information with those countries. On the basis of the statement made by the President of the Security Council on 4 November 1994 a new system of consultations between troop-contributing countries and the Council had been set up which went very far towards meeting the concerns expressed by members of the Committee.

42. In conclusion, he paid tribute to the work of the Ad Hoc Committee to elaborate an international convention on the safety and security of United Nations and associated personnel as well as to the members of the Sixth Committee for the progress made on the convention, which he hoped would substantially improve the safety of military and other personnel participating in United Nations operations.

43. Mrs. KUMAR (India) said that Indian troops took part in many United Nations peace-keeping operations, and indicated her Government's willingness to provide troops for the United Nations stand-by arrangements. With regard to India's position on peace-keeping operations, she referred to the statement by the Permanent Representative of India in the Special Committee on Peace-keeping Operations, the statement by the head of the Indian delegation to the General Assembly at its forty-ninth session and the guiding principles for peace-keeping operations adopted by the Movement of Non-Aligned Countries. Noting the endeavours of Member States in the area, as borne out by the latest report by the Special Committee on Peace-keeping Operations, she expressed her delegation's appreciation to the Chairman.

44. Among the most important issues facing the United Nations in connection with peace-keeping operations, the shortage of resources hindered their successful implementation, and she therefore urged Member States to pay their assessed contributions on time according to the relevant scale established. The arrangements for compensation in case of death or disability must be based on the principle of equal pay for equal work. Reimbursements for the depreciation of contingent-owned equipment must be made using transparent criteria and an appropriate scale. As to the provision of non-military supplies and contracts for peace-keeping operations, her delegation took the view that such supplies and services should be awarded on the basis of transparent and international competitive bidding. Greater delegation of financial authority to force commanders with appropriate control and accounting mechanisms was essential. Effective coordination between field headquarters and the contingent commanders on issues affecting the planning and management of peace-keeping operations must be ensured. Consultations between the Security Council and troop-contributing countries on all aspects of peace-keeping operations were also required. While welcoming the steps taken by the Security Council to introduce some transparency into its peace-keeping work, she said that they should not be a substitute for a comprehensive restructuring of the Council's working methods.

45. In conclusion she said that recent difficulties in the area should provide an incentive for further study of how the peace-keeping role of the United Nations could be strengthened in a manner which would be in keeping with the underlying principles and purposes of the Charter.

46. Mr. SENGWE (Zimbabwe) noted the great importance Member States attached to the work of the Special Committee on Peace-keeping Operations. His delegation was convinced that the time had come to expand the membership of the Special Committee in accordance with the principle of equitable geographical representation. Peace-keeping, peace-building and peacemaking should not be the preserve of a few economically or politically powerful countries.

47. His delegation was pleased to note that the draft resolution contained a provision on the need for clearly defined peace-keeping mandates and underscored the importance of consultations with troop-contributing countries. Drawing attention to the important contribution of regional organizations in international efforts for promoting peace-keeping, security and safety, in particular the African organizations, he pointed out that they required financial and other material assistance from the United Nations and other regional organizations.

48. Turning to the funding of peace-keeping operations, he underlined the importance of Member States paying their assessed contributions promptly and in full; his delegation believed that the debate on document A/49/945 came within the purview of the Fifth Committee. His delegation welcomed the establishment in the Department of Peace-keeping Operations of a situation centre for coordinating work between the field offices and the Secretariat on the one hand and the Secretariat and member countries on the other hand. It also welcomed the initiative for the elaboration of an international convention dealing with the safety and security of United Nations and associated personnel, which would fill an obvious gap in international law.

49. In conclusion, his delegation paid tribute to those who had laid down their lives for the cause of peace and expressed appreciation of the tireless efforts and dedication of the men and women working to achieve peace.

50. Mr. MWAMBULUKUTU (United Republic of Tanzania) said that the image of the United Nations would very much depend on its all-round performance, especially in the area of the maintenance of international peace and security. In his address to the General Assembly at its current session, the President of the United Republic of Tanzania had expressed concern that the collective security system envisaged under the Charter had not always worked to the satisfaction of many Member States, a fact that he attributed to lack of political will to enhance the representative nature and democratic traditions of the Organization. Since the adoption by the General Assembly of resolution 47/120 A, on "An Agenda for Peace", increasing attention had been given to the peace-keeping role of the United Nations. With the ending of the cold war there was an increasing demand for the United Nations to intervene in various conflict situations. His delegation welcomed the omnibus draft resolution, which was a product of all-inclusive consultations and touched on all aspects of preventive diplomacy, peacemaking, peace-keeping and peace-building.

51. The United Republic of Tanzania could not remain indifferent to the expansion of peace-keeping operations, of which 17 had been authorized over the previous five years, at a cost of US$ 3 billion and with the participation of

some 75,000 United Nations peace-keepers. It was a matter of deep concern that the major part of the so-called new generation of peace-keeping operations was in Africa. It was a matter of urgency to take appropriate action, otherwise the human race would be dragged into a never-ending confrontation. The value of the action shortly to be taken by the Fourth Committee would depend on the extent to which its wide-ranging proposals advanced the international community towards shared responsibility so as to address comprehensively the root cause of conflict.

52. His delegation strongly supported the idea of enhancing the cooperation of the United Nations with regional organizations in peace-keeping. Regional organizations such as the Organization of African Unity (OAU) could play a greater role in conflict prevention and resolution. His country was involved in two peace-keeping activities under the aegis of OAU. A battalion-strength Tanzanian contingent was serving as part of the Military Observer Group (ECOMOG) Economic Community of West African States (ECOWAS). In spite of the help given by the United Nations Observer Mission in Liberia (UNOMIL), the inadequate resources available to the 12,000-strong ECOMOG contingent had undermined its morale. His country was also deeply involved in the search for peace and reconciliation in neighbouring Rwanda and Burundi.

53. In his address to the General Assembly, the President of the United Republic of Tanzania had said that his country had been involved in facilitating the process leading to the signing of the Arusha Peace Agreement. For various reasons, the parties concerned had failed to implement the Agreement, which provided a comprehensive framework for a permanent solution to the political and security problems in Rwanda. The problem of stemming the tide of refugees and of effecting their subsequent repatriation remained as urgent as it had been previously. The situation was adversely affecting the local communities, and the environmental damage caused by the huge and sudden influx of refugees, who outnumbered the local population, was enormous.

54. The humanitarian aspect of peace-keeping must be one element of the multifaceted approach to resolving conflicts. Appeals for increased international support for countries forced to accept such a huge influx of refugees must not go unheeded. If the OAU troops had been properly equipped and given logistic support at the height of the crisis, the redeployment of the United Nations Assistance Mission for Rwanda (UNAMIR) would already have been completed.

55. In conclusion, his delegation reiterated the appeal for investment of the essential resources, both moral and material, in assisting the OAU mechanism for preventing, managing and resolving conflicts.

56. Mr. HENZE (Germany), speaking on behalf of the European Union and Austria, said that they were major contributors to peace-keeping operations in terms of personnel, both military and police, and of logistic and material support. Currently more than 18,000 peace-keepers from the European Union and Austria were serving with 16 United Nations operations. The number of operations had increased sharply, the requirements in terms of personnel and finance had

increased and the mandates had become far more ambitious. The profound changes in the scope and size of peace-keeping operations had paved the way for a thorough debate on the reform of the United Nations and the enhancement of its capacity to deal with new challenges.

57. The tragic events in Rwanda had led many to a profound reflection on the response to be made by the international community, in particular the United Nations, to such crises. A number of members of the European Union had put forward their own ideas and proposals in that context.

58. The European Union and Austria reiterated the importance of the preventive deployment of troops and the creation of demilitarized zones. They stressed the need to enhance cooperation and coordination between the United Nations and regional arrangements, agencies and organizations and other intergovernmental organizations in peace-keeping and welcomed the progress in cooperation between the Conference on Security and Cooperation in Europe (CSCE) and the United Nations. The European Union would itself continue to work closely with the United Nations in solving the conflict in the former Yugoslavia. The continuing efforts of the Secretary-General to reform the structures of the Secretariat with a view to strengthening the capacity to manage such operations were highly commendable. The European Union and Austria attached great significance to strengthening the civilian police function, and actively supported the initiative of stand-by arrangements between Member States and the United Nations.

59. Common guidelines and performance standards in military and civilian training for peace-keeping operations were also important. The United Nations played a significant role in developing training manuals and standards. Furthermore, it was essential to establish a clear, well-defined and unified command and control structure for peace-keeping operations, under the operational control of the United Nations.

60. Experience in the area of peace-keeping had highlighted the need for further enhancing the arrangements for consultations between members of the Security Council, troop-contributing countries, and the Secretariat. There was also a need for more effective coordination of humanitarian, political and military components within United Nations peace-keeping missions.

61. The European Union and Austria reiterated the importance they attached to arrangements for the security and protection of personnel as an integral part of any peace-keeping operation, and called for appropriate measures to be taken. They welcomed the successful conclusion of the mandate of the Ad Hoc Committee on the Elaboration of an International Convention Dealing with the Safety and Security of United Nations and Associated Personnel, and urged Member States receiving personnel involved in such activities to take necessary measures, including the conclusion of bilateral agreements between the Member States concerned, to provide legal protection for such personnel.

62. It was regrettable that the financial situation of the United Nations remained difficult. It was essential that all States should pay their

contributions in full, on time and without conditions. The European Union had repeatedly stressed the need for a comprehensive financial reform.

63. It was very important to disseminate information on peace-keeping operations, especially in those countries and regions in which they were taking place, and in countries that were contributing troops. The success and credibility of any operation depended largely on the understanding and support of local populations.

64. Mr. SOSSOU (Benin) said that the attention accorded to the question of peace-keeping operations was evidence of the significance the international community attached to the cause of peace, solidarity and development.

65. Benin, which had participated very actively in the search for a solution to the crisis in Liberia, would have liked the United Nations to give greater assistance to regional and subregional organizations in their efforts to prevent conflicts.

66. On the question of the definition and execution of the mandates of peace-keeping operations, his delegation shared the view that mandates based on an analysis of the situation in the field, with realistic aims and clearly established time-frames, would make it possible to avoid irrational use of resources and losses among personnel. The statement by the President of the Security Council on the question of consultations between members of the Council and States contributing troops was a positive step towards perfecting methods of conducting peace-keeping operations.

67. Benin condemned attacks on United Nations personnel and expressed the hope that the draft convention adopted by the Sixth Committee would be supported by Member States.

68. In conclusion, his delegation paid tribute to the memory of those who had lost their lives while fighting for peace.

69. Mr. SRIYONO (Indonesia) said that Indonesia recognized the importance of peace-keeping operations and their vital contribution to the maintenance of international peace and security. In recent years the Organization's peace-keeping activities had grown dramatically in size and complexity. They had now gone beyond their traditional role, and encompassed activities such as assistance in conducting elections, humanitarian aid, assistance in nation-building, border monitoring and monitoring of observance of human rights. Mandates for peace-keeping operations must be clear and unambiguous and based on an assessment of the situation by the Secretary-General. Consultation and coordination mechanisms between the Security Council and troop-contributing States needed to be strengthened, particularly in the context of any changes in the mandate. Such an approach would ensure greater transparency and openness in decisions on peace-keeping.

70. The training of peace-keeping personnel should be conducted on the basis of agreed United Nations standards in order to ensure that all personnel dispatched

should have a general understanding of prescribed procedures in the field. The initial stage in preparation of forces should be conducted by each troop-contributing country. It was important to recruit military staff with specific skills in such areas as planning and logistics, and who were familiar with the country or countries involved, particularly with the languages and cultures of the people of the regions where the peace-keeping forces were to be deployed. Responsibility for decision-making could be entrusted to the Security Council. However, at the same time the will of the majority of the members of the international community should also be taken into account. The Secretary-General should be given discretionary authority with regard to day-to-day peace-keeping activities.

71. The Eleventh Ministerial Conference of the Movement of the Non-Aligned Countries had considered the question of establishing guiding principles for peace-keeping operations in accordance with the Charter, with a view to enabling the Organization to contribute effectively towards resolving conflicts peacefully. Those principles included, inter alia, a request to the State involved and its consent, respect for the sovereignty and territorial integrity and non-intervention in the internal affairs of all States, impartiality, transparency, appropriate consultations, particularly between the troop-contributing countries and the Security Council, and equal opportunities for participation by all States. Such factors as a clearly defined mandate and objectives, command and control structures, time-frames, rules of engagement, secure financing and adequate resources would be of paramount importance.

72. Peace-keeping operations should be regarded not as a substitute for the political settlement of disputes, but only as one of a number of temporary measures. In view of the Organization's steadily expanding role in peace-keeping operations, it had become imperative to find ways and means of ensuring broader and more stable support for activities in that field. There was no doubt that the current arrangements for financing those activities were inadequate. The non-aligned countries considered it necessary to address the problems of reimbursement for troop costs and payment of compensation to countries participating in operations, especially the developing countries, and called for contributions to cover the cost of peace-keeping in accordance with the special scale of assessments established by General Assembly resolution 3101 (XXVIII).

73. Mr. TAYE (Ethiopia) said that, as recent peace-keeping operations demonstrated, the United Nations was faced with a difficult task in ensuring the success of such operations. Ethiopia participated in the efforts of the Special Committee on Peace-keeping Operations aimed at enhancing the role of those operations in the maintenance of international peace and security. In specific terms, Ethiopia's commitment to United Nations peace-keeping efforts had been vividly demonstrated through the presence of its troops in Rwanda.

74. It was gratifying to note the establishment of a consultative mechanism between the Security Council, the Secretariat and troop-contributing countries. That mechanism should be further refined and improved. At the consultations, consideration should be given, inter alia, to significantly extending or

changing mandates of operations. The role of neighbouring countries and other regional interests in consultations was a crucial element in improving peace-keeping operations. Geographical proximity and knowledge of a region's particular characteristics made their contribution to the efforts of the Security Council highly useful.

75. Ethiopia supported the various innovative steps being taken or planned by the Secretariat in connection with the management of peace-keeping operations. In that regard, the role of the Department of Peace-keeping Operations in rationalizing its operational work, including the establishment of a situation centre, should be recognized. It was disappointing to note that the practice of issuing the weekly digest had been discontinued.

76. The possibilities provided for under the Charter for establishing cooperation with regional organizations had not been thoroughly explored. If the various regional organizations were provided with the necessary political, logistic and financial support, they could assist and complement the efforts of the United Nations. The Organization of African Unity had recently set up a mechanism for conflict prevention, management and resolution for the continent. Such regional and relevant subregional structures must be strengthened in order to make use of their political potential and resolve. Ethiopia would carefully follow up the various proposals put forward in that connection during the general debate at the current session of the General Assembly.

77. Efforts to contain conflicts, particularly in Africa, required effective courses of action. Accordingly, the objective of peace-keeping operations must first be to promote a favourable political situation and then to tackle the root causes, which, in most cases, were socio-economic in nature.

78. Ethiopia reaffirmed its commitment to work closely with other members of the Organization to carry out that difficult, but important task. Lastly, he paid tribute to those engaged in the practical work of achieving that noble purpose.

79. Mr. KÜNG (International Committee of the Red Cross) said that in recent years the civilian population had often been the target of armed conflicts. On the other hand, there had also been a dramatic growth in the number, scale and activities of United Nations peace-keeping operations, which had often gone beyond the traditional concept of peace-keeping based on the consent of the States and parties concerned and aimed at preventing a resumption of hostilities. In a number of those operations, it had been necessary to use military force in order to carry out the various mandates.

80. Grave and massive violations of international humanitarian law during recent conflicts had constituted threats to international peace and security. It was thus the responsibility of the United Nations and, in particular, the Security Council to decide what measures were to be taken under Chapter VII of the Charter. Such measures differed from those provided for under international humanitarian law, notably in that the use of force was not excluded. Force was being resorted to more frequently in order to ensure the delivery of

humanitarian assistance rather than to put an end to massive violations. Moreover, such humanitarian action was not always perceived by the parties to the conflict as neutral and impartial. As a result, the International Committee of the Red Cross (ICRC) believed that it must maintain its independence in carrying out humanitarian activities in order to provide protection and assistance to all victims and act as a neutral mediator between all parties to a conflict, including any armed forces deployed or authorized by the United Nations.

81. ICRC also wished to remind States of their primary responsibility to put a stop to grave and massive violations of international humanitarian law. That responsibility had been reaffirmed in the declaration adopted at the International Conference for the Protection of War Victims, held in Geneva in 1993. In June 1994, ICRC had organized a symposium on the subject "Humanitarian action and peace-keeping operations". The symposium had highlighted the need for greater clarity with regard to the military and humanitarian aspects of operations, although both aimed at alleviating human suffering. Subordinating or linking humanitarian action to political objectives had an adverse impact on the independence and neutrality of humanitarian activities. It had also been stressed that the provision of humanitarian assistance was not an end in itself and did not relieve the international community of its responsibility to put an end to massive violations of international humanitarian law and find political solutions to conflicts. The report of the symposium had been published by ICRC and sent to all Governments and relevant United Nations services.

82. With regard to the applicability of international humanitarian law to United Nations forces, it should be recalled that that law applied irrespective of the legality of the use of force or its objectives. In that context, ICRC welcomed the fact that the United Nations had, on several occasions, accepted the applicability of the principles of international humanitarian law to its forces and had included a clause to that effect in its model status of forces agreement. He also noted with satisfaction that there was a similar provision in the recently elaborated draft international convention dealing with the safety and security of United Nations and associated personnel.

83. In conclusion, he recognized that the United Nations was not a party to the Geneva Conventions or their Additional Protocols and that not all of the detailed provisions of those instruments applied to the Organization. ICRC believed that the elaboration of specific rules applicable to United Nations forces would enable them to implement international humanitarian law more effectively. The International Committee of the Red Cross was therefore currently in the process of consulting with the United Nations Office of Legal Affairs and the Department of Peace-keeping Operations on the modalities for joint efforts in that area.

84. The CHAIRMAN said that the number of speakers in the general discussion (there had been 55 of them), demonstrated the importance which the international community attached to the question of peace-keeping operations and he expressed the hope that that exchange of views would help enhance the effectiveness of those operations.

85. Mr. GWARY (Nigeria), speaking on behalf of the sponsors of draft resolution A/C.4/49/L.12, orally revised the text of the draft resolution. In the third line of paragraph 12, the word "important" had been deleted. Paragraph 39 should read:

"39. Welcomes the adoption by the Sixth Committee of the Convention on the Safety of United Nations and Associated Personnel;".

In addition, in the first line of paragraph 2, the word "Emphasizing" should read "Emphasizes"; in the first line of paragraph 26, the word "contribute" had been replaced by the word "continue"; and in the sixth line of paragraph 40, the words "his regard" should read "this regard".

86. Mr. MUSTAFA (Secretary of the Committee) said that if the General Assembly adopted draft resolution A/C.4/49/L.12, as specified in paragraph 59 of the draft resolution, the Secretary-General would carry out the numerous requests and proposals contained in the resolution as far as possible within the appropriation level approved by the General Assembly in the programme budget for the biennium 1994-1995 and within the level of resources available under the support account for peace-keeping operations. Consequently, if the General Assembly adopted the draft resolution, no additional appropriation would be required under the proposed programme budget for the biennium 1994-1995.

87. Draft resolution A/C.4/49/L.12, as orally revised, was adopted.

88. The CHAIRMAN said that the Committee had thus concluded consideration of agenda item 79.

The meeting rose at 12.45 p.m.

UNITED NATIONS

General Assembly

FORTY-NINTH SESSION

Official Records

SPECIAL POLITICAL AND
DECOLONIZATION COMMITTEE
(FOURTH COMMITTEE)
27th meeting
held on
Wednesday, 23 November 1994
at 10 a.m.
New York

SUMMARY RECORD OF THE 27th MEETING

Chairman: Mr. HUDYMA (Ukraine)

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AGENDA ITEM 78: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE PALESTINIAN PEOPLE AND OTHER ARABS OF THE OCCUPIED TERRITORIES

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The meeting was called to order at 10.30 a.m.

AGENDA ITEM 78: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE PALESTINIAN PEOPLE AND OTHER ARABS OF THE OCCUPIED TERRITORIES (A/49/56-S/26926, A/49/67, A/49/172, A/49/287 and Corr.1-S/1994/894 and Corr.1, A/49/288-S/1994/903, A/49/448, A/49/511, A/49/549-S/1994/1185, A/49/598, A/49/599, A/49/600, A/49/601 and A/49/646-S/1994/1261)

1. Mr. KALPAGE (Chairman of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories) introduced the Special Committee's twenty-sixth report, which covered the period from 28 August 1993 to 26 August 1994 and which should be considered together with the Special Committee's two periodic reports (A/49/67 and A/49/172). During the period under review, two historic events had taken place: the signing by Israel and the Palestine Liberation Organization (PLO) of the Declaration of Principles on Interim Self-Government Arrangements and the Agreement on the Gaza Strip and Jericho Area. The international community harboured the hope that both of those events would usher in a new era of peace, justice and respect for human rights for all peoples of the Middle East. However, in spite of those positive developments, the Government of Israel had again denied the Special Committee access to the occupied territories. The Special Committee had therefore had no other choice but to base its findings, once again, on reports appearing in the Israeli press, the Arab press published in the occupied territories and written reports from Governments, organizations and individuals.

2. In its report, the Special Committee had tried to establish whether the encouraging political developments in the area had generated any significant changes in the general situation affecting the human rights of the Palestinian people and other Arabs in the occupied territories. With regard to the areas under the Palestinian Authority, the situation remained complex. That was due in part to the fact that those territories were cut off from each other. The principal source of tension in Gaza was the existence of settlements and the presence of the Israeli Defence Forces. In addition to the expansion of a number of settlements in the Gaza Strip, the situation was further complicated by the building of roads connecting the settlements and the extension of the security zone around them. The economic and social situation in the Gaza Strip had not improved owing to the fact that the majority of inhabitants depended on Israel for income.

3. In Jericho, tension had been created by the arrival of more than 500 Palestinian prisoners who were to serve the remainder of their sentences there and for whom appropriate detention facilities did not exist. Another problem involved the lack of a clear delineation of Israeli and Palestinian responsibilities. With regard to the other parts of the occupied territories that were not under Palestinian administration, the human rights situation remained serious. Although the level of demonstrations, killings and confrontation on the streets had declined, no dramatic improvements had been reported. It should be emphasized that the principal source of tension in the

occupied territories was the existence of settlements and the behaviour of the settlers in the wake of the signing of the Declaration of Principles.

4. During the period under review, an increasing number of Israelis was reported to have been killed as a result of incidents such as bombings. In 1994, more than 35 Israelis had been killed. As a consequence of those criminal acts, the Israeli authorities had continued to impose measures of collective punishment, in particular curfews.

5. The Israeli-PLO Agreement on the Gaza Strip and Jericho Area, signed in Cairo on 4 May 1994 provided for the release of about 5,000 Palestinian prisoners within a period of five weeks. So far, some 4,450 prisoners had been released.

6. The Special Committee had been particularly preoccupied to learn that torture and ill-treatment in Israeli prisons and detention centres had continued during the period under review. During that period, the overall number of house demolitions had decreased. Nevertheless, the Israeli authorities had continued to take harsh measures against the families of detainees.

7. The Special Committee was confident that the early transfer of responsibilities to the Palestinians in the fields of education and culture, health, social welfare, direct taxation and tourism would bring about an immediate improvement in the daily lives of the population of the occupied territories. The determination, wisdom and the spirit of understanding that had led to the signing of the Declaration of Principles and the Cairo Agreement must be translated into reality through practical compliance with all universally accepted norms of international humanitarian and human rights law.

8. The Special Committee hoped that its findings would be taken into account in the determination of concrete measures to give life to the spirit of the recent positive developments. Israel should not only apply fully the relevant provisions of the Fourth Geneva Convention and all resolutions pertinent to the occupied territories adopted by United Nations organs and specialized agencies, but should also cooperate fully with the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), the International Committee of the Red Cross (ICRC), the United Nations Special Coordinator in the Occupied Territories and the United Nations Centre for Human Rights.

9. The Special Committee recommended that serious consideration should be given to the following concrete measures: establishment of clear rules of engagement and open-fire regulations for its security forces; investigation of all incidents of shooting and exercise of the utmost restraint in responding to outbreaks of violence; immediate cessation of activities of undercover units; review of the policy of arming settlers, strict control over any abuses perpetrated by settlers and prosecution of those responsible; review of the whole policy on settlements, the halting of their expansion and the abolition of the current policy of land confiscation; equitable enforcement of the law and thorough and impartial administration of justice; immediate cessation of interrogation practices that used torture and ill-treatment and publication in

full of guidelines concerning interrogation procedures; review of the situation of all Palestinian and other Arab prisoners, especially political detainees or those who had committed non-violent crimes, and their speedy release; abstention from detaining residents of the occupied territories within Israel; granting of permission to all persons who had been deported or expelled from the occupied territories to return; and cessation of all measures of collective punishment as well as discriminatory measures concerning the use of water resources. A positive approach in that regard could further strengthen the peace process, thus enabling all the people in the occupied territories and the region to live in harmony, dignity and peace.

10. Mr. KAMUNANWIRE (Uganda) said that his country welcomed the Madrid Conference, the Washington Declaration of Principles and the Cairo Agreement on the Gaza Strip and the Jericho area. It recognized that they were steps in the right direction towards the comprehensive settlement of the Middle East question, of which Palestine was at the core. In that regard Uganda commended the efforts of the international community and the parties directly involved. In welcoming such achievements, however, it should be borne in mind that they were only stages towards the total liberation of the occupied territories and the restoration of political stability in the region. The people of Palestine must be enabled to secure full self-determination, with a State of their own. His delegation urged both the Israelis and the Palestinians to continue working together in a spirit of compromise in order to make further progress in the negotiations and to give impetus to the peace process.

11. Uganda recognized that the conflict between Israel and its neighbours, particularly the Palestinians, had long resulted in untold suffering. His delegation looked forward to the total withdrawal of Israel from all the occupied territories and re-echoed the need for the United Nations and the international community to assist the Palestinian leadership in its difficult task of rehabilitation, rebuilding and reconstruction. It was particularly crucial because the peace process would only succeed on a sound political and economic foundation.

12. His delegation welcomed the recent historic peace agreement signed by Israel and Jordan. It also recognized the current initiatives between Israel and her other neighbours. The developments offered hope for future mutual cooperation in the Middle East. Moreover, they were necessary elements in the comprehensive settlement of the Middle East problem.

13. Lastly, he said that his delegation shared the view that both the Israelis and the Palestinians were on the right course for a lasting solution. In recognition of the developments, his country had resumed normal diplomatic relations with Israel.

14. Ms. ABDELHADY (Observer for Palestine) said that, despite the positive developments in the peace process, Israeli occupation practices and policies remained unchanged, resulting in the continued violation of the human rights of the Palestinian people.

15. Israel continued policies and practices which violated the fourth Geneva Convention of 12 August 1949 and other human rights instruments. Practices with regard to illegal settlements, Jerusalem, the repeated closure of the occupied territory, in addition to killings, harassment and collective punishment, were matters of high concern. Such actions had inevitably led to a worsening of the economic and social conditions in the occupied territory. The blocking of access to Jerusalem had also prevented many Palestinians from exercising their freedom to worship in the Holy City.

16. Land confiscation and settlement activities had also continued, albeit at a slower pace. The Israeli Government maintained its illegal policy of building settlements in the occupied territory, particularly in Jerusalem. Recent announcements revealed Israel's intentions to build thousands more units in the West Bank along the separation line between Israel and the occupied Palestinian territory. Israel's practice in that regard, which seriously affected the human rights of the Palestinian people, was in violation of the fourth Geneva Convention of 12 August 1949 and of the spirit and letter of the Declaration of Principles, since it aimed at changing the status of the occupied territory.

17. Over the past year the violent actions of illegal, armed Israeli settlers had caused the death of numerous Palestinians. The main threat to the peace process currently stemmed from the criminal actions by the Israeli settlers, illegally brought into the occupied territory in violation of Article 49 of the fourth Geneva Convention and numerous Security Council resolutions. The critical situation was confirmed by the massacre, on 25 February 1994, of Palestinian worshippers by an extremist Israeli settler in the Mosque of Ibrahim in the town of Hebron in the occupied West Bank. The adoption by the Security Council of resolution 904 (1994) and the subsequent deployment of the temporary international presence in Hebron (TIPH) had helped to defuse the situation and alleviate the suffering of the Palestinian people in Hebron.

18. The Declaration of Principles had postponed negotiations on the issue of settlements to a later stage. The two parties must expedite the negotiations, or deal with the matter, at least in part, should the actions of the settlers threaten the peace process. Moreover, the implementation of the next phase of the Declaration of Principles, including the redeployment of Israeli forces outside populated areas in preparation for the Palestinian general election, required the removal of Israeli settlers from such populated centres as Hebron and Nablus.

19. Israel remained an occupying Power until the moment that full Israeli withdrawal from the occupied Palestinian territory was completed and the right to self-determination, and all other fundamental human rights, were exercised by the Palestinian people on their land. It was time for the Israeli Government to accept the de jure applicability of the fourth Geneva Convention of 12 August 1949 to all of the occupied Palestinian territory, including Jerusalem, and to declare its readiness to abide by its provisions scrupulously. The Israeli authorities, continued refusal to cooperate with the Special Committee was regrettable. As long as the occupation remained in existence and violations persisted, the Committee's mandate was not fulfilled. Investigation

of Israeli practices affecting the human rights of the Palestinian people in the occupied territory must continue. The continued violation of the human rights of the Palestinian people in the occupied territory represented a real danger to the peace process, with all the attendant consequences. Basic changes had been introduced to the resolutions under the item the previous year, and her delegation was ready to work with all Member States on updating the resolutions that would be adopted by the General Assembly under agenda item 78, while maintaining fundamental positions of principles.

20. Mr. PARKER (United States of America) said that his country was committed to the achievement of a just and lasting peace in the Middle East and to the current process of negotiation on the basis of the framework agreed at Madrid in October 1991. The significant progress achieved in that process was highly encouraging. The international community had welcomed the signing of the Declaration of Principles and the implementing agreements concerning self-government in Gaza and Jericho. Despite the efforts of the enemies of peace to derail the process, negotiations continued between the two parties on the implementation of those agreements.

21. The establishment of the interim self-governing authority invested with extensive responsibility for Palestinian affairs in the Gaza Strip and the Jericho area was a significant step. Negotiations on further extending the scope of Palestinian responsibility were continuing.

22. A draft resolution was again being proposed in 1994 to renew the mandate of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs in the Occupied Territories. The United States was interested in the question of human rights in the occupied territories and maintained an active dialogue with the parties involved. It would be prepared to consider a draft resolution that addressed all practices affecting human rights in the territories, but the one proposed did not do that. The United States did not consider that the Special Committee contributed to the promotion of human rights. The Committee's mandate was not to investigate all practices affecting human rights in the territories. Such a mandate could not ensure balance and objectivity. The Committee was a remnant of an earlier era of confrontation and, as such, should be consigned to the past. Its functions should be entrusted to the High Commissioner for Human Rights and the resources allocated to finance it should be applied to improving the economic situation of the Palestinians.

23. If the draft resolution on the Special Committee's mandate were brought to a vote, the United States would vote against it.

24. Mr. MOHAMED (Sudan) drew attention to a number of aspects of the Special Committee's report (A/49/172) which were evidence that Israel was continuing its earlier practice of terrorizing the civilian population of the occupied territories and that Israeli settlers, with the connivance of the Israeli defence forces, were still committing atrocities against the Palestinian population. That population was also suffering from a deterioration in its economic situation and in health care, many thousands of Palestinians were

imprisoned and their freedom of movement, education and religion were being violated.

25. His delegation condemned the demolition of houses, mass expulsions and the imposition of curfews, as being incompatible with the principles of humanitarian law. The practice of constructing settlements in the occupied territories, in defiance of the fourth Geneva Convention and numerous resolutions of the Security Council, was also illegal. The practice of annexing and confiscating Palestinian land was continuing. The Israeli authorities were not complying with resolutions concerning the Syrian Golan, in particular Security Council resolution 497 (1981) of 17 December 1981. The Sudan consistently supported the inalienable right of the Palestinian people to self-determination and to the establishment of an independent Palestinian State, and called on the Palestinian people and its leadership not to allow themselves to be drawn into bloody conflicts unleashed by the agents of zionism.

26. Mr. SHAKED (Israel) pointed out that in the year that had passed since the previous session of the General Assembly some important events had occurred in the Middle East leading to the signing in Washington of the Declaration of Principles between Israel and the Palestine Liberation Organization (PLO). The first such event had been the signing in Cairo on 4 May 1994 of the Agreement on the Gaza Strip and the Jericho Area. Another important accomplishment had been the agreement reached on the transfer of powers and responsibilities between Israel and the PLO, after which an immediate start had been made on the transfer of empowerment in the sphere of education. The handing over of powers in the spheres of welfare and tourism had taken place only a few days previously, and the transfer of health and taxation would take place in the coming days. The successful completion of the current stage of the process of transferring authority was an important element in building confidence between Israel and the Palestinians. Furthermore, as soon as that agreement had been fully implemented, discussions would begin on other components of the Declaration of Principles, such as elections for the Palestinian Council and the redeployment of the Israel Defence Force.

27. Unfortunately terrorist organizations opposed to the peace process had carried out numerous murderous acts during the previous year. Israel viewed such actions as a direct challenge to the peace process and found it imperative to take special measures to restore order and stability in the territories and to provide security for all their inhabitants, Arabs and Israelis alike. Above all, the Government of Israel had made every effort to expedite the peace talks with the Palestinians and other Arab partners, as the best response to all extremists. Those efforts had resulted not only in several concrete steps forward in implementing the agreements with the Palestinians but also in the conclusion of the peace treaty between Israel and Jordan on 26 October 1994.

28. However, much still remained to be done to consolidate the bilateral agreements that had been achieved so far, and to bring about a full and comprehensive peace in the Middle East. His delegation looked forward to progress in the talks with the Syrian Arab Republic and Lebanon to conclude a comprehensive peace agreement. At the same time, he noted that, in the current

interim period, the Palestinian Authority was facing the complex challenge of creating a viable Palestinian economy and building independent Palestinian economic institutions in the territories, and that it was in the interest of the entire international community to provide assistance to the Palestinians. Successful economic development would increase the chances for success of the entire peace process, since it would eliminate the basic reasons for the growth of radical tendencies.

29. Considerable progress had also been made over the past year in the context of multilateral efforts to promote the peace process. Important meetings had taken place in Morocco, Tunisia, Oman, Qatar and Bahrain where Israelis, Palestinians and representatives from various Arab countries had discussed issues relating to the future of the Middle East.

30. The positive changes taking place in the Middle East must be supported and encouraged, and the United Nations could contribute greatly towards that end. First, it should complete the process started at the previous session of the General Assembly to bring its resolutions into accord with the new reality in the Middle East. Second, it should avoid renewing the mandate of the outdated Special Committee to Investigate Israeli Practices. Its budget should be directed to meeting the urgent specific needs of the new Palestinian Authority. Third, it was essential to coordinate and strengthen United Nations assistance to the Palestinian people. Fourth, an atmosphere supportive of the ongoing process should be created through a recognition that fruitful dialogue and significant steps towards peace in the region had taken the place of one-sided criticism.

31. Mr. YAHYA (Malaysia) said that, since the establishment of the Special Committee 25 years previously, the Committee had never received the necessary cooperation from the Israeli authorities, who continued to deny it access to the occupied territories. Given the current developments in the region, Malaysia hoped that the Israeli authorities would review favourably their position regarding the requests of the Special Committee. With regard to the draft resolution circulated by the delegation of Palestine, Malaysia supported its main thrust, as it reflected the current realities and took into account the situation in the occupied territories.

32. Mr. SAMADI (Islamic Republic of Iran) said that the reports of the Special Committee clearly underscored the fact that the general situation of human rights in the occupied territories still remained a matter of serious concern, as the Israeli occupying authorities continued to inflict harsh measures and practices upon the civilian population of Palestine, violating such fundamental freedoms as the freedom of movement, education, expression and religion. One example was the massacre at the Ibrahimi Mosque in Hebron during the morning prayers on 25 February 1994. According to the report of the Special Committee (A/49/511), one of the most serious developments adversely affecting the situation of human rights in the occupied territories was the sharp increase in the number of violent acts committed by settlers against Arabs and their property. The expansion of settlements and confiscation of land in the occupied territories also needed to be considered. It was stated in the report that,

even after the establishment of the Palestinian Authority, some 40 per cent of the territory in the Gaza Strip was still taken up by settlements, military installations and the so-called "yellow" security zones. The report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) also referred to the continuing construction of housing in Israeli settlements in the West Bank and Gaza Strip.

33. During the period under consideration, the fundamental rights of the Palestinians and other Arabs had been routinely violated by the imposition of measures such as collective punishments and the systematic use of curfews. After the tragedy in the Ibrahimi Mosque, Israeli forces had tightened existing restrictions on movement, and the sealing off of the occupied territories had led to increased losses for Palestinian workers and had aggravated the already critical economic situation in that region. The report of the Special Committee had gone on to state that hospitals and medical institutions had been fired at, raided or used as outposts by the army, and that the freedom of education had been hindered sporadically, especially with regard to the movement of students and teaching staff.

34. In conclusion he stressed that the only guarantees of a comprehensive and just solution to the Palestinian problem lay in full realization of all the rights of the people of Palestine, including the return of all Palestinian refugees to their homes, enabling them to exercise their inalienable right to self-determination, and in the liberation of all the occupied territories.

35. Mr. ASHIKI (Japan) said that during 1994 the international community had witnessed historic progress in the Middle East peace process. Japan welcomed those achievements and paid tribute to all the parties concerned for their extraordinary efforts and courage, inspired by a firm determination to attain peace. He hoped that the agreements reached would provide a strong impetus to the peace negotiations between Israel and the Syrian Arab Republic and between Israel and Lebanon. Japan reaffirmed its commitment to the peace process, intended to participate actively in the multilateral negotiations, and expressed its readiness to extend assistance to the Palestinians and to other parties in the region.

36. At the same time, Japan was profoundly concerned about the recent clash between the Palestinian police force and Palestinians, and again called upon all those concerned to refrain from violence and to cooperate with a view to resolving the situation peacefully. Japan sincerely hoped that that incident would not affect the ongoing peace process as a whole. However, the situation in Gaza and the West Bank would remain tense, and the Palestinians would experience frustration unless they saw tangible improvements in their daily lives as a result of self-rule and progress in the peace process. It was essential that the international community should continue to extend assistance to the Palestinians.

37. Mr. WOLFF (Germany), speaking on behalf of the European Union and also of Austria, Finland, Norway and Sweden, said that the signing by Israel and the PLO of the Declaration of Principles had been merely the beginning of a long process

of overcoming the painful legacy of the past. In the time since that event, perceptible progress had been made, reflected in the conclusion of a series of agreements and arrangements. The redeployment of the Israeli forces from the areas under self-rule had led to a decrease in tension and violence, and thanks to the establishment of the Palestinian Authority, the Palestinians had begun to take their affairs into their own hands. But the acts of violence that had taken place over the past months had shown how vulnerable the process still was, and that there were elements on both sides who wished to derail it.

38. The European Union recognized that, in order to maintain the momentum, it was necessary to support economic and social progress in the occupied territories as the most crucial aspect of the peace process. The European Union reaffirmed its attachment to the achievement of a just, durable and comprehensive settlement of the Palestinian question and of the entire Arab-Israeli conflict on the basis of the pertinent Security Council resolutions and also of the principles of international law. It was up to the parties to that process to set the conditions for such a settlement. For its part, the European Union was determined to play an active, constructive and balanced role in that process.

ORGANIZATION OF WORK

39. The CHAIRMAN suggested closing the list of speakers on agenda item 78 at 6 p.m. He took it that the Committee supported that suggestion.

40. It was so decided.

41. The CHAIRMAN suggested noon on Friday, 25 November, as the deadline for submission of draft proposals on that item. He took it that the Committee supported that suggestion.

42. It was so decided.

The meeting rose at 12.05 p.m.